



United States Department of State

United States Participation in the UN

**Report by the President
to the Congress
for the year 1982**

Supplement

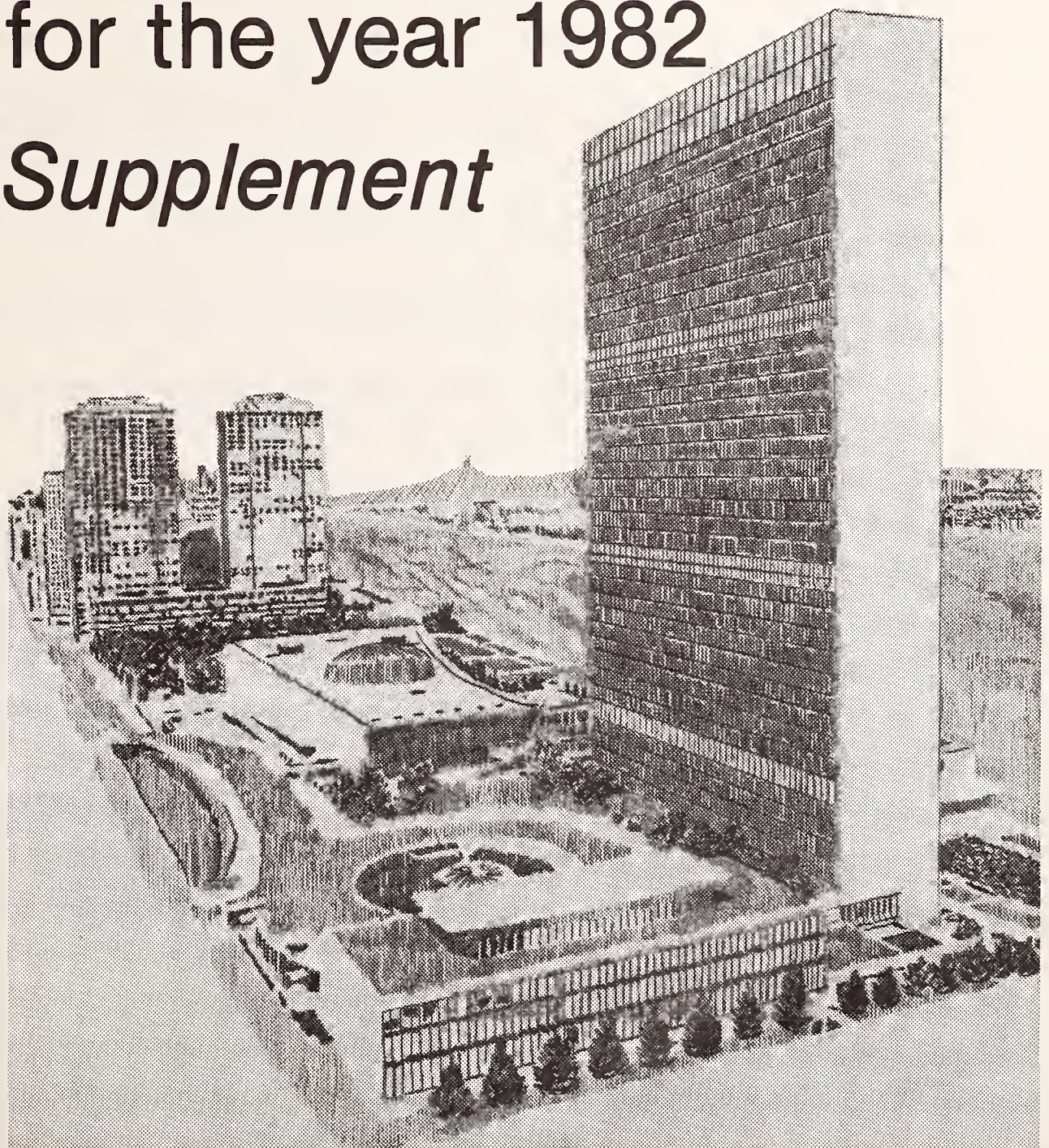


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BY
U.S. REPRESENTATIVES TO THE UNITED NATIONS
1982

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Part 1

**Political and
Security Affairs**



UNITED STATES MISSION TO THE UNITED NATIONS

PRESS RELEASE

799 UNITED NATIONS PLAZA
NEW YORK, N. Y. 10017

FOR RELEASE ON DELIVERY
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Press Release USUN 03(82)
February 05, 1982

Statement by Ambassador Jeane J. Kirkpatrick, United States Permanent Representative to the United Nations, in the Emergency Special Session of the General Assembly, in Explanation of Vote on the Situation in the Golan Heights, February 5, 1982.

Mr. President, the resolution before this emergency special session of the General Assembly is profoundly objectionable to the United States. We oppose it because it does not contribute to peace in the Middle East: it will make peace harder to achieve.

We oppose the end it seeks -- which is revenge and retribution, not conciliation and compromise.

We oppose the means it recommends: which are unreasonably punitive and ill-suited to accomplishing any constructive purpose.

We oppose the use of the United Nations involved here because this body was and is meant to be devoted to building peace and security, and this resolution seeks neither. Instead, it uses this body as an instrument to deepen divisions and exacerbate conflicts.

We oppose this resolution because, like any other cynical use of power, it will leave this body weaker than it already is, less fit to achieve its noble purposes.

By damaging the prospects for peace, this resolution undermines the integrity -- indeed, the very *raison d'etre* -- of the United Nations.

Last month in the Security Council the United States voted against a resolution on Israel's Golan Heights legislation because as we stated at the time, the resolution constituted "a perversion of the very purpose which the Security Council is called upon by Chapter VII of the United Nations Charter to perform." That purpose is to prevent "an aggravation of the situation." The resolution before us today, like the previous resolution, does not prevent an aggravation of the situation: it is itself a source of aggravation. It is also procedurally flawed in that it seeks to assign to the General Assembly responsibilities that Chapter VII of the Charter properly and solely invests in the Security Council.

The United Nations has discussed the Golan Heights legislation now for nearly two months. As my delegation made clear at the outset,

we opposed this legislation because it purported or appeared to alter unilaterally the international status of the Golan Heights. Therefore, on December 17th the United States joined other members of the Security Council in passing Resolution 497, thereby making clear our disapproval of the Israeli government's action in extending its civil law over the Golan Heights. We communicated the same message in our bilateral relations.

As we have stated often, the future of the Golan Heights, like that of all the occupied territories, can be resolved only through negotiations pursuant to Security Council Resolutions 242 and 338. Accordingly, we have called upon Israel to rescind its legislation and -- most importantly -- to reaffirm its commitment to a negotiated solution. In its letter of December 29th to the Secretary-General, Israel did, in fact, reaffirm its readiness to enter into unconditional negotiations with the Syrians over the international legal status of the Golan.

At that point, the only constructive role for the United Nations was to facilitate such negotiations, in accordance with Resolutions 242 and 338. But the resolution before the Security Council did not even mention these resolutions and, needless to say, the current draft resolution doesn't either.

Mr. President, we must go back to basics. Israel is accused of threatening peace. Yet peace is not the situation that prevailed between Israel and Syria before Israel's Golan Heights legislation was adopted. Security Council Resolution 338, which was the basis for the 1973 ceasefire, called upon the parties to "start immediately" to negotiate the implementation of Resolution 242 so that Israeli withdrawal could be effected in exchange for recognition of Israel's existence within "secure and recognized" borders. But no such negotiations took place.

There is no one in this chamber who does not know which party has refused to negotiate peace or even to accept Resolution 242. Yet the resolution before us today and the speeches we have heard take no account of this reality.

Mr. President, the United States greatly desires to have cordial, cooperative, good relations with all the states in the region. My country has devoted enormous effort, in this Administration and under previous Administrations, to finding a basis for peace and reconciliation. We also want very much a strong United Nations acting in fidelity to the principles of its Charter. For these very reasons we are appalled by this resolution which distorts reality, denies history and inflames passions.

The draft resolution before us calls the Israeli legislation an act of aggression. But no shots were fired, no soldiers were brought into place. And the future of the Golan Heights is no less negotiable than before.

It describes the Israeli legislation as an annexation. It is not. The United States has not recognized it as such. The Security Council in Resolution 497 did not recognize it as such. To now call

it annexation only creates an artificial obstacle to negotiations.

This resolution call for comprehensive sanctions against Israel and for Israel's total isolation from the rest of the world. But can anyone truly believe that such proposals, advanced in a spirit of vindictiveness, will make a constructive contribution to peace?

Mr. President, the United States objects to this resolution because it makes the search for peace more difficult, and because it weakens this body. We also object to it for less disinterested reasons -- we object to the barely veiled attack on the United States present here in the paragraph that "strongly deplores the negative vote by a permanent member...."

The right to cast a veto is vested by the Charter in the five permanent members of the Security Council. The sole purpose of this provision is to permit one of the permanent members to block a proposed action of the Council if for any reason this action is deemed seriously flawed. The United States used the veto for the purpose for which it was intended -- to block action which we deemed ill-conceived and imprudent and, moreover, one incompatible with the pursuit of international peace and security to which this body is dedicated. It is not at all appropriate that an action taken in conformity with the spirit and the letter of the Charter should be deplored.

Furthermore, as everyone present understands, this resolution raises basic questions which go to the heart of the relationship of a member state to the United Nations. This is a profoundly serious matter, filled with ominous portent. Questions of membership in this body and its associated agencies should not, indeed cannot be settled by majority passions. The United Nations or any similar organization can only exist if the principle of majority rule is balanced by respect for minority rights. This resolution strikes twice at the principle that minorities also have rights: first when it deplores our use of the veto, and second when it attempts to submit questions of membership to the General Assembly. Respect for the United Nations means respect for its Charter.

We hope that the authors and supporters of the resolution will think deeply about this aspect of their approach, for the health, even the survival of the United Nations depends on respect for both majority rule and minority rights. Nothing is more clear than this.

Mr. President, suppose this resolution passes, as regrettably I suppose it will, what will this exercise have achieved?

- An Israeli withdrawal from the Golan? Of course not.
- An embargo of economic, technological, military goods destined for Israel? Of course not.
- A restoration of the occupied territories? Of course not.
- A resolution of the problems of Palestinians? Of course not.
- Peace in the Middle East? Of course not.
- Will it intimidate the United States, causing it to abandon its Middle East policy, its friendship with Israel, its search for peace in the region? Of course not.

What then, will this resolution accomplish?

What has already been achieved by these weeks of harsh, seemingly endless attacks on Israel, on the United States, on the spirit of reason, moderation, on peace itself? To raise the question is to answer it.

There is, in my country, a child's rhyme, sticks and stones may break our bones but words will never hurt us. The rhyme is profoundly mistaken. Words have consequences.

Words express the ideas, the values and the truths we live by. They are the principal means available for reason to explain purposes and dispel misunderstandings. The United Nations was conceived as a palace of reason, a place where reason would replace violence as the tool for settling disputes.

This miserable resolution before us today demonstrates the sad truth that any instrument can be made to serve purposes remote from its *raison d'etre*: words can be used as weapons; ploughshares can be turned into swords, and the United Nations itself can be used to polarize nations, spread hostility, and exacerbate conflict.

The use made of the United Nations in this resolution and in the weeks preceding it is indeed worth "strongly deploring" and my government strongly deplores it.

Naturally we shall vote no.



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PRESS RELEASE

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Press Release USUN 11(82)
April 2, 1982

Statement by Ambassador Jeane J. Kirkpatrick, United States Permanent Representative to the United Nations, in the Security Council, on the Complaint by Nicaragua, April 2, 1982.

As this discussion of Commander Ortega's letter to the Security Council draws to a close, I should like to make several observations concerning his complaint against the United States, and also concerning the debate that has taken place in this Chamber in the past days.

First, I desire to reiterate that the great fear cited by Commander Ortega that the United States is about to invade Nicaragua is groundless. The United States has no intention of invading Nicaragua or anyone else. I have already emphasized the Sandinista leadership's past misunderstanding of the attitudes of the U.S. government. I desire to reiterate once again that the U.S. government did not attempt to prevent the Sandinistas' accession to power. It helped them. The United States did not attempt to prevent their consolidation of power; we helped them. The United States did not oppose their efforts to reconstruct Nicaragua's economy; we helped them. The record concerning U.S. economic assistance -- direct and indirect -- to the government of Nicaragua is clear. There is no need to labor it. I shall not do so.

Second, I have also reiterated the attachment of my government to the principles of nonintervention in the internal affairs of other states; our respect for territorial integrity and national independence; the peaceful settlement of disputes and to those principles of the U.N. Charter that govern the use and non-use of force. Obviously, none of this means that the United States renounces the right to defend itself, nor that we will not assist others defend themselves under circumstances consistent with our legal and political obligations and with the Charter of the United Nations.

Unfortunately, not all governments which have participated in this debate are equally attached to principles of non-use of force, respect for territorial integrity or national independence. There is an interesting correlation between the nations who have supported

Nicaragua's complaint against the United States and those who opposed the resolution calling for withdrawal of Soviet troops from Afghanistan.

The principles of nonintervention and respect for national independence cited in this debate did not lead Angola, Cuba, the German Democratic Republic, Grenada, the Lao People's Democratic Republic, Libya, Madagascar, Mozambique, Seychelles, the Syrian Arab Republic, the Soviet Union, or Vietnam to join 116 other nations in calling for an end to the occupation of Afghanistan. All those nations opposed the Afghanistan resolution.

Zeal for national independence and noninterference did not move the governments of Algeria, Benin, the Congo, India or Uganda to seek an end to the occupation of Afghanistan. All abstained.

It is not, moreover, only the national independence of Afghanistan which inspires so little response from among those who have expressed solidarity with these principles in the last few days: Neither Angola nor the Congo, nor Cuba, nor the German Democratic Republic, nor Grenada, nor the Lao People's Democratic Republic, nor Libya, nor Mozambique, nor Seychelles, nor the Soviet Union, nor Vietnam, Algeria, Benin, India, Madagascar, Mexico, Panama, Uganda, Tanzania nor Zimbabwe was moved by these principles to support the call for an end to the continuing military occupation of Kampuchea.

Will members of this Council be surprised to be reminded that the government of Nicaragua was itself not prepared to extend to the people of Afghanistan and Kampuchea the rights to peace, national independence and territorial integrity it seeks for itself now? Nicaragua supported neither the resolution calling for an end to the occupation of Afghanistan nor Kampuchea.

This sort of selective invocation and application of universal principles does not strengthen either the principles or the organizations dedicated to their realization and implementation. It breeds cynicism. It harms the United Nations. It mocks the search for peace.

Third, I desire to clarify the position of my government with regard to the jurisdiction and role of the United Nations and regional organizations. Despite efforts by the government of Nicaragua to indicate otherwise, it should be clear that the United States government believes that any member state has the right under the Charter to bring an issue before the Security Council which seriously threatens international peace and security. As members of the Council know, the United States did not oppose Commander Ortega's request to present an exposition to this Council, even though we were objects of that complaint. But while the Charter grants that right to all members, it is equally clear that the Charter encourages the resolution of disputes through regional arrangements.

The Charter of the United Nations contains a chapter relating expressly to regional organizations. Paragraphs 2 and 3 of Article 52 of the Charter contain the explicit provisions designed to encourage resolution of regional disputes in the relevant regional organization. These paragraphs read as follows:

"2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council."

"3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional agencies either on the initiative of the states concerned or by reference from the Security Council."

Those who attempt, as the government of Nicaragua has attempted, to describe the legal obligations of Members of the regional organizations without reference to these provisions ignore inter alia fundamental provisions of the Charter. It is an elementary rule of interpretation of treaties that effect must be given to all provisions of the Charter -- ut res magis valeat quam pereat. In this context it is worth recalling Article 2, paragraph 2 of the Charter which requires good-faith fulfillment of the obligation assumed by each and every member. Ignoring the existence of undeniably relevant provisions of the Charter would appear to raise serious questions.

Nicaragua's studied avoidance of those provisions in a long communication ostensibly devoted to an analysis of the subject demonstrates not only that its concern is less with law than with politics, but that it is prepared to seek political advantages even at the price of serious legal distortions.

Unfortunately, there have been other evidences, inside the Chamber and outside it as well, that the government of Nicaragua is less concerned with rights than with advantages.

Its failure to support the national independence of the peoples of Afghanistan and Kampuchea; its continuing efforts to undermine and overthrow neighboring governments, especially El Salvador; its importation of heavy offensive arms; its militarization of Nicaraguan society - all establish that we are dealing here with a government that seeks for itself rights it is not willing to grant others.

Nicaragua invokes the principle of nonintervention but claims the right to intervene in the internal affairs of neighboring states.

Nicaragua demands that others respect its national independence but does not respect the sovereignty or right to national self-determination of its neighbors.

Nicaragua claims the right to seek advisers and arms wherever it chooses -- as an exercise of its sovereignty -- but would deny its neighbors the same right.

Nicaragua claims the right to live in peace while fomenting internal war in neighboring countries.

The facts, as I stated last week, are that the government of Nicaragua is an active party to a massive intervention in the affairs of her neighbors. The government of Nicaragua is engaged in training guerrillas, directing command-and-control centers. It is involved in infiltrating arms and guerrillas, destroying electric power stations, blowing up bridges, terrorizing civilians. Her leaders come before the Security Council of the United Nations seeking international protection for these activities.

The government of Nicaragua espouses and practices a very particular conception of nonintervention, a very particular conception of non-alignment; the kind that, in the end, saps the meaning and power of both.

The letter of Mr. Daniel Ortega Saavedra, and the Security Council debate that it has prompted, remind me of a statement by the late French philosopher George Bernanos, who once said that "the worst, the most corrupting of lies are problems poorly stated." Mr. Ortega states "the problem" as having to do with the danger posed by the United States to the independence and sovereignty of the countries of Central America. This definition of the problem merely obfuscates the real issue that is at stake in Central America, which is a conflict between two concepts of organizing society, two ideologies -- if you will -- one democratic and the other totalitarian.

The elections held Sunday in El Salvador symbolize one of these approaches -- the democratic one -- while the Nicaraguan regime's systematic refusal to hold elections symbolizes the other -- totalitarian -- approach.

That election, with its enormous turnout of voters, was a tribute to the Salvadoran people and to the vitality of the democratic idea.

What a stolid, courageous, unflinching people these Salvadorans are! Despite the possibility of massive violence at the polling places and threats of retaliation by guerrilla forces against voters the Salvadorans still voted in huge, unprecedented numbers. Why did they do so?

In Monday's Wall Street Journal, there was an interview with one of these voters, Ana Maria de Martinez, who "was typical of some voters

who thought they would beat the crowds by showing up early at the polling stations. This mother of two children got to the National Technical Institute, a polling place, around 5 a.m. But so did a lot of other people, and by 9 a.m. she was still two blocks from the gate entrance. 'I'll wait here all day if I have to,' she said, fanning her face with her wallet. 'The rest of the world seems to have made decisions about El Salvador. Now it's my turn.'

Some people said that free and fair elections could not be held in El Salvador. They were wrong.

But there were others who have been against elections in principle, regarding them as a tool of the bourgeoisie and a misrepresentation of the popular will which could best be expressed through armed struggle. In Salvador this view, preferring the bullet to the ballot, is held by the various guerrilla factions whose coordinating front is appropriately named after Farabundo Marti, the Salvadoran Communist. One of these guerrillas, Commandante Ana Guadalupe Martinez, is quoted in this week's issue of the Economist of London as saying that "Elections are there to ratify a popular government.... If laws exist which represent the people, elections are not very important."

The idea that the will of the people can be better expressed through a revolutionary elite than through free elections is, of course, a fundamental tenet of Leninism. It is, I need hardly point out in this forum, fundamentally at variance with Article 21 of the Universal Declaration of Human Rights which states:

"The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures."

The FMLN is not the only element in Central American politics that opposes free elections as defined in Article 21 of the Universal Declaration of Human Rights. The Sandinista leadership also opposes such elections. Indeed, they have called the Salvadoran election "an absolute denial of democracy and civilization." They did not always speak thus. One month before achieving power, in June 1979, when they were still seeking supporters, the Sandinistas promised the Organization of American States that they would hold free elections when they assumed power. Once in power, however, they quickly reneged on that promise.

In the spring of 1980, the Sandinistas consolidated their control over the Council of State, enlarging it and packing it with their own supporters to ensure a permanent majority. In July 1980, Sandinista Defense Minister Humberto Ortega announced that there would be no need for elections since the people had already "voted" during the revolution. Elections could not be held, it was said, until the people had been "re-educated."

The following month, in August 1980, Humberto Ortega announced that elections would be put off until 1985. Even then, it was stated that these would not be "bourgeois" elections -- the kind of elections, that is to say, called for in the Universal Declaration, but rather "people's elections" in which, in the words of Interior Minister Tomas Borge, power "will not be raffled off." Meanwhile, no "proselytizing activities" on behalf of any candidate, no discussion of candidacies would be permitted before candidates were officially designated by an electoral agency which itself would not be created until 1984. Violations would be punished by terms of three months to three years in jail.

Meanwhile, vigilante mobs have been encouraged to intimidate the opposition. The MDN and the Social Democrats, two of Nicaragua's principal opposition parties, have repeatedly been the victims of semi-official mob violence. In a speech delivered last fall, Humberto Ortega stated that the Sandinista regime is "guided by scientific doctrine, by Marxism-Leninism" and threatened to hang dissenters against the regime's policies "along the streets and highways of the country." Shortly thereafter, four Nicaraguan business leaders who signed a letter protesting against this speech were arrested and sentenced to seven months in prison.

The Sandinistas' description concerning elections is part of a larger policy of revolution by obfuscation. They have pretended to be democrats. For a long time they pretended not to be Marxist-Leninists, and today they pretend there is no contradiction between Sandinism and Marxism-Leninism.

As those familiar with the history of Augusto Cesar Sandino know, his nationalism provoked suspicion and criticism from those who supported submission to Moscow's so-called internationalism. His desire for "absolute sovereignty," for a "free country" and for leaving the solution of economic and social problems to democratic decision was naturally rejected by Communists as bourgeois and counter-revolutionary. The Communist attacks against Sandino, therefore, began when he was in Mexico. Because he refused to adjust his fight for "Country and Liberty" to the plans of the Mexican Communists, the Secretary-General of the Mexican Communist Party called him a traitor and denounced him upon his death.

It is particularly instructive, in light of the different attitudes toward free elections today in El Salvador and Nicaragua, to contrast Sandino's views with those of Jose Agustin Farabundo Marti, the leader of the Salvadoran Communist Party who joined Sandino's struggle for a time but was eventually sent home because of his Communist ideology. "My break with Sandino," he said, came about "because he did not wish to embrace the Communist program which I supported. His banner was only for independence, a banner of emancipation, and he did not pursue the ends of social rebellion." Years later, this account was confirmed by Sandino himself who said

that "On various occasions attempts were made to distort this movement of national defense, converting it rather into a battle of a social character. I opposed this with all my strength."

In its effort to consolidate totalitarian power at home and mortgage the national independence of Nicaragua to Moscow and Havana, the Nicaraguan regime stands squarely in the tradition of Farabundo Marti whose descendants, acting in that tradition, tried unsuccessfully to sabotage through violence the free elections in El Salvador and who, if they came to power, would adopt the same contemptuous attitude toward free elections that those who call themselves Sandinistas have adopted in Nicaragua.

It is hardly a coincidence that many of the countries who have supported Commandante Ortega's letter in the course of this debate share his regime's principled opposition to free elections. These countries include Cuba, Vietnam, Angola, the Soviet Union, Laos, Mozambique, Grenada, Iran, the German Democratic Republic, and Poland. In none of these regimes, which call themselves "people's democracies," are governments chosen by or accountable to the people. All of them oppose -- because they fear -- the free expression of the will of the people through free elections as called for in Article 21 of the Universal Declaration of Human Rights.

I have already expressed to the Council my government's surprise at Nicaragua's decision to bring its complaint to the Security Council at precisely the moment when there seemed to be progress toward direct negotiations among the nations most directly involved. We have noted as well that this is not the first time that U.S. initiatives aimed at resolving disputes have been met by deliberate escalations.

Why did the Nicaraguans come, at this time, to this forum, with their harsh rhetoric and wild charges? To distract attention from El Salvador's elections? If that was their purpose then they have failed.

To distract attention from the intensified repression going on in Nicaragua since the government declared an "emergency"? If this was their purpose they have largely succeeded. Not much note has been taken here of the new repressive measures aimed above all at the press. Yet strict prior censorship has prevented the appearance of La Prensa, which is not only prohibited from printing news on a great many subjects, but has also been forbidden to print blank spaces. Even the pro-Sandinista El Nuevo Diario ran afoul of the censors vague standards and strict enforcement. A twenty-four hour suspension was imposed after it announced the government had declared a state of siege.

It has been suggested, too, that Nicaragua's complaint here merely reflects a (not unwholesome) desire to let off steam and express its frustrations at having a superpower for a neighbor. But this is a serious international forum, not a Turkish bath. It has also been suggested that being the object of such a complaint is a kind of occupational hazard of superpowers; that this complaint is analogous to that made against the Soviet Union on Afghanistan. An analogy would exist, we are quick to note, only if the United States had forcibly eliminated the government of Nicaragua, shot its chief of state and moved in one hundred thousand combat troops to subdue and occupy the country. But, of course, my government has no intention of doing any such thing.

We desire to live at peace with all our neighbors. We shall continue our efforts to develop a constructive relationship with the government of Nicaragua. Secretary of State Alexander Haig has made clear that we are prepared to work on the basis of mutual respect to that end.

Various proposals have been offered for conciliation among the nations of the region and the hemisphere. The United States, interested in the constructive resolution of tension and conflict, remains ready to do its part to ensure peace in the region and to enhance the prospects for democracy and development for all our people.



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Press Release USUN 22(82)
April 23, 1982

Statement by Ambassador Jeane J. Kirkpatrick, United States Permanent Representative to the United Nations, in the General Assembly at the Seventh Emergency Special Session, April 23, 1982.

In a letter to President Kittani, which has been circulated at my request as a document of the General Assembly, I stated the reservations of my Government with regard to the "resumption" of the Seventh Emergency Special Session on "The Question of Palestine." I desire to repeat these reservations here.

The Seventh Emergency Special Session adjourned "temporarily" on July 19, 1980, having adopted a resolution which authorized "the President of the latest regular session of the General Assembly to resume its meetings upon request from member states." It seems plain that the purpose of this "temporary" adjournment was to allow for a resumption in the same time frame should events warrant. Almost two years have passed. During those intervening twenty-one months, two regular sessions of the General Assembly, two different Emergency Sessions, and one Special Session have been held. Yet now, at the request of a group of members and notwithstanding the passage of a substantial period of time, the Seventh Emergency Special Session has been reconvened without regard to the views of other members, or the developments that have taken place in the interim. Clearly, this dubious procedure of a "resumption" has the effect of undermining the provisions of the rules of procedure for convening an Emergency Special Session.

This procedural irregularity provides a fitting framework for the work of this session, which is already on its way to creating new, further obstacles to peace between Israel and her Arab neighbors.

Let me be clear. My Government shares the concern of those who are alarmed at the escalation of violence in the Middle East. We are profoundly distressed at the increase of tensions and conflict, the spreading of fear and suspicion, the deepening sense of hopelessness with respect to resolving "The Question of Palestine" and achieving peace and stability in this region rent by violence and hate.

But who among us sincerely believes that the exercise in which we are now engaged -- this "resumed" Emergency Special Session -- will take us closer toward that goal?

Who among us believes that the cause of peace is served by still another round of bitter denunciation of Israel?

Who among us -- I wonder -- believes that peace is even the goal of this Assembly?

This Assembly can repeat its familiar and unbalanced charges, it can issue flamboyant ultimata, and adopt ever harsher resolutions, all with the usual predictable effect. That effect will be to increase -- not to reduce -- tensions; to inflame -- not to calm -- passions; to widen -- not to narrow -- divisions; and to make war more, not less, likely to take place.

The fact that this institution, conceived to resolve conflicts, is thus used to exacerbate and embitter divisions among nations is the cruelest of ironies.

But that is not the end of the irony. It is even worse that the United Nations, by its own actions, is being driven further and further away from the very framework of peace which it established fifteen years ago. I refer, of course, to Security Council Resolution 242. That resolution remains the only realistic framework for a just and lasting peace in the Middle East. But it is not reaffirmed, it is not even recalled in the current United Nations resolutions, which -- to the contrary -- violate the spirit of Resolution 242 and undermine its balanced approach to peace.

Security Council Resolution 242, along with Resolution 338 which was adopted in 1973 and which calls for immediate negotiations to implement 242, is built around four main principles:

First, it links Israeli withdrawal from territories occupied in 1967 to the establishment of peace with the Arab parties to the conflict.

Second, it stipulates that Israel should then withdraw to secure and recognized boundaries established in the agreements of peace.

Third, it affirms that agreements of peace should also provide for security arrangements, including demilitarized zones, and guarantees of maritime rights through all the international waterways of the area.

Fourth, it affirms that the goal is true peace, as distinct from "declarations of non-belligerency" or their equivalent.

It was precisely according to this resolution of the United Nations Security Council, and the principles set forth therein, that peace has been achieved between Israel and Egypt, leading to the return of the entire Sinai to Egyptian sovereignty -- a process that is due to be completed this very Sunday. That process, which is based on mutual respect and reasoned argument, stands in stark contrast to a different approach which insists on Israeli withdrawal in the absence of peace. The second approach cannot possibly achieve its putative goal, which is a negotiated peace; but, by ensuring confrontations, it can produce spurious "evidence" that peaceful settlement of disputes with Israel is impossible.

My Government believes that peace can only be achieved through respect, reason, and compromise. We recognize that while the Camp David process looks toward a comprehensive peace, it has not yet achieved that goal. It constitutes the greatest concrete step toward peace, however, in the history of the Arab-Israeli conflict. And, yet, it is but a step. There remains a great distance still to be travelled. But we believe peace is possible -- real peace, peace in accordance with Security Council Resolutions 242 and 338.

We certainly do not underestimate the obstacles to a peace settlement in the West Bank and Gaza. Yet we believe that Camp David offers the only viable basis for a settlement that will determine the final status of these territories. Camp David actually goes beyond Resolutions 242 and 338, which call for an agreement among states, by affording the indigenous populations of the West Bank and Gaza the opportunity to participate in the negotiations toward a settlement. Such a settlement can only be achieved through negotiations between the parties concerned -- in this instance Egypt and Israel, as well as Jordan and the representative of the Palestinian people. These negotiations still await the establishment of a self-governing authority in the West Bank and Gaza and the agreement of Jordan to enter the talks.

This painstaking and protracted process will require hard bargaining, compromise, and arrangements that establish trust and new patterns of interstate and human relationships. But that is the only way that a just and lasting peace can be achieved. Only such an approach can hope to satisfy to the greatest degree possible the rights of all the parties concerned. Only such an approach can work.

We are now reaching a point when new efforts will be devoted to the completion of the Camp David process. It would be a great tragedy if this process must go forward in the face of opposition from the United Nations. The peace process might suffer, and more certainly the United Nations itself would suffer.

Mr. President, there are, as everyone knows, members of this body who desire to deny membership and/or participation to another member state. There will be, we understand, an effort to pass, in this Special Session, a resolution that prepares the way for questioning Israel's credentials and the right to participate in the various bodies of the United Nations. To this end, one draft resolution circulating in the corridors now asserts that Israel is not a peace-loving member state, and has repeatedly violated the provisions of the Charter.

But Mr. President, neither this Special Session nor the draft resolution now circulating in the corridors is consistent with the purposes of the United Nations Charter. Neither seeks (in accordance with Chapter II) to maintain "international peace and security," nor "to develop friendly relations among nations", nor "to achieve international cooperation in solving international problems..."; least of all do they make this institution "a centre for harmonizing the actions of nations in the attainment of...common ends." This Special Session is one more event in an ongoing process

whose goals are to delegitimize a member state -- Israel, to deny it the right to self defense, to secure borders, to survival.

This Special Session and its accompanying draft resolutions are one more clear example of a strategy whose goals and tactics are clear: use a United Nations body to make "official" demands incompatible with Israel's security and survival, so as then to be able to complain that non-compliance with these impossible demands "proves" Israel an international lawbreaker -- unworthy of membership in the international community of peaceloving states.

Mr. President, if this organization established to seek, maintain and strengthen peace is used to make war by other means; if its avenues, established to provide a rational basis for discussion and settlement of international disputes, are used as battlefields in a holy war; if its procedures, designed to ensure fairness, are twisted to ensure desired political outcomes -- then the purposes and structures of this organization are transformed. And the United Nations itself is transformed. It becomes, quite literally, a different organization, inspired by different purposes, dedicated to different goals, characterized by different modes of behavior; for an institution is, finally, nothing more or less than the regular interactions of its members. When the goals and behavior of the members change, the institution has changed as well.

Mr. President, how much falsification can an institution stand without destroying itself entirely? This world body cannot endure as a moral and political force if its energies are devoted to increasing conflict and conducting vendettas against targeted countries. If the United Nations prefers to make political war rather than peace, it must suffer the consequences in terms of its credibility and reputation. And if, in violation of its own rules, it should decide to exclude the democratic state of Israel from participation, it will inevitably reap the whirlwind.

It is not too late, Mr. President, for a majority of member states to reverse the trend toward irresponsibility and destruction. The time to begin is now, before this trend gathers an irreversible momentum.

Thank you, Mr. President.



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Press Release USUN 37(82)
May 22, 1982

STATEMENT BY

AMBASSADOR JEANE J. KIRKPATRICK

UNITED STATES REPRESENTATIVE TO THE UNITED NATIONS

IN THE SECURITY COUNCIL

ON THE QUESTION CONCERNING THE SITUATION IN THE
REGION OF THE FALKLAND ISLANDS (ISLAS MALVINAS)

MAY 22, 1982

Mr. President, I should like to begin by expressing the appreciation of my government for your judicious and skillful leadership of the affairs of this Council in this deeply troubled time, as we seek a solution to the tragic conflict underway in the South Atlantic.

We desire to express in this public arena our gratitude to the Secretary General for his tireless and determined efforts to find a peaceful resolution to the conflict between the United Kingdom and Argentina. The Secretary General knows, as we should like the world as well to know, that he enjoyed the active support and cooperation of the United States in his search for a peaceful resolution of the conflict.

This conflict poses a particularly acute problem for persons and nations who love peace and also for this international body whose very *raison d'etre* is to promote and ensure the peaceful settlement of disputes.

The United States stands behind the principle that the use of force to settle disputes should not be allowed anywhere, and especially in this hemisphere where a significant number of territorial disputes remain to be solved diplomatically. For the United States, the Falkland crisis has been and still is a particularly agonizing, tragic event.

As the whole world knows, we have a longstanding alliance and, beyond that, the closest relations of friendship with Great Britain, the country from which our political institutions, law and language derive. But we have not forgotten for a moment our close geographical, economic and political relations with our Latin neighbors. We do not only care about this hemisphere, we are part of this hemisphere, and we share many of the aspirations, goals and dreams of all nations of the Americas. Our own culture and society are deeply influenced by a growing Hispanic population. We can never turn our backs on, or be insensitive to, hemispheric goals and aspirations that we ourselves have promoted and defended.

That is why the United States tried so hard to avoid the conflict on the Falklands, why we are hoping so intensely to reduce and isolate it, and why we are eager and ready to back any realistic diplomatic initiative which will put a just end to it. And we especially mean to stay in close touch with our Latin neighbors while efforts are made to solve this tragic conflict, in order to restore peace with honor so that once again we can concentrate our efforts on the resolution of our problems. The quicker we put this tragic conflict behind us, the quicker we can begin building our future. And there, as always, Latin America will find how

deeply the U.S. is committed to the cause of peace and prosperity in our hemisphere.

Mr. President, as the fighting intensifies and the cost in lives mounts in the South Atlantic, I think we all share a sense of anguish that it has not yet been possible to prevent this tragic conflict.

We have all come to appreciate how deep the roots of the conflict are. Britain, in peaceful possession of the Falkland Islands for 150 years, has been passionately devoted to the proposition that the rights of the inhabitants should be respected in any future disposition of the Islands. No one can say that this attitude, coming from a country that has granted independence to more than 40 countries in a generation and a half, is a simple reflex to retain possession.

Yet we know too how deep is the Argentine commitment to recover islands they believe were taken from them by illegal force. This is not some sudden passion, but a long-sustained national concern that also stretches back 150 years, heightened by the sense of frustration at what Argentina feels were nearly 20 years of fruitless negotiation.

From the start it has been widely recognized that the conflict engages basic principles without which a peaceful international order cannot stand. Unless the principle is respected that force must not be used to settle disputes, the

entire international community will be exposed to chaos and suffering. And unless the right of self-defense is granted, only those countries that use force first will have the protection of law.

The Security Council was profoundly right to reassert those principles in Resolution 502, which forms the indispensable framework in which a peaceful solution has been sought and will ultimately be found. It is of fundamental importance that both Argentina and Britain have accepted Resolution 502 in its entirety.

For the United States, the conflict has a special poignancy. We do not take -- have never taken -- any position on the underlying claims. Britain is a country to which we are bound by unique ties of friendship, values, and alliance. And Argentina is also an old friend, a country of immigrants and settlers like our own, a country with which we share the enormous human and national potential of the New World experience.

That a conflict of such dimensions should take place, and that it should occur here, in the Western Hemisphere -- whose countries have long shared a particular commitment to each other, to their mutual welfare and to peace -- causes us the deepest concern. This conflict, however urgent, cannot be permitted to obscure the common engagement of all American states to the rule of law and to the well-being of this hemisphere.

So it was natural that the United States should make a particular effort to help Argentina and Britain find a solution.

That effort began before April 2nd, when we offered to the two sides our good offices to help find a solution to the South Georgia incident.

After April 2nd, both President Galtieri and Prime Minister Thatcher asked the United States to see whether it could be of assistance. At President Reagan's direction, Secretary of State Haig undertook two rounds of intense discussions in both capitals. Finally, on April 27th, as prospects for more intense hostilities arose, we put forward a proposal. It represented our best estimate of what the two parties could reasonably be expected to accept. It was founded squarely on Resolution 502 by providing for a cessation of hostilities, withdrawal of forces, and a political settlement of the dispute.

The British government indicated that it would seriously consider our proposal, although it presented certain real difficulties for it. However, the proposal was not acceptable to Argentina.

Immediately afterward, President Belaunde of Peru, after consultation with Secretary Haig, took the initiative to put forward a much simplified peace plan, also drawing on the fundamental elements of Resolution 502.

On May 5th a draft text was forwarded by Peru to Buenos Aires; we forwarded the same text to London.

Britain made clear that it could seriously consider the proposal. Argentina chose not to consider it, asking instead that the Secretary General use his good offices as, of course, it was its full privilege to do.

Mr. President, the tragic conflict before us also has special poignancy for the United Nations. It is precisely the kind of problem this organization was created to resolve. The Charter commits us "... to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace." "To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace; "To achieve international cooperation in solving international problems..." "To be a centre for harmonizing the actions of nations in the attainment of these common ends."

The United Nations record in dealing with this conflict is commendable. The Security Council responded rapidly to the Argentine seizure of the Islands. The fact that both parties

accepted Resolution 502 proves that it was a constructive response.

The Secretary General's determined and imaginative efforts were, of course, fervently welcomed by all of us. Again the elements of settlement seemed to be present or nearly present. Again peace eluded us. I believe the institutions of the United Nations have functioned in this crisis in the manner foreseen by its founders and its Charter. We can be proud of it; proud, especially, of the Secretary General.

We have already heard his account of his search for a formula that could resolve the conflict. I think all of us have been deeply impressed by the skill and sensitivity, by the judgment and fairness that the Secretary General brought to this task. That his effort has not so far succeeded does not mean that it has not realized important gains, notably in the establishment of a mutually acceptable concept of negotiations. The United States will wholeheartedly support any initiative that can help Argentina and Britain make peace with honor.

Despite all our efforts, the problem is not solved. Young men die in icy waters, on freezing beaches.

The dispute that appeared to many to be simple has nonetheless proved extraordinarily difficult to resolve. But we must not abandon the effort. Resolution 502, with its concept of linked and simultaneous cessation of hostilities,

withdrawal of forces, and negotiations, must remain the framework of the search for peace. The problem is too important -- for the rule of law, for the future of the Americas, for many of us friends of Britain and Argentina -- not to make an all-out effort to settle this tragic conflict, so costly in every way.



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Press Release USUN 68(82)
September 24, 1982

STATEMENT BY

THE HONORABLE HERNAN PADILLA

ALTERNATE UNITED STATES REPRESENTATIVE

TO THE 37th SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY

IN PLENARY

ON THE INSCRIPTION OF PUERTO RICO ON THE AGENDA

SEPTEMBER 24. 1982,

Mr. President, distinguished representatives of the General Assembly:

My name is Hernan Padilla, a delegate of the United States to the United Nations General Assembly.

I also serve as Mayor of the City of San Juan, the capital and largest city of Puerto Rico.

I have been an active proponent and participant in the political process in Puerto Rico for more than 15 years.

Although I am a medical doctor by profession, I was elected to the Puerto Rico House of Representatives in 1968 and 1972, and was elected Mayor of San Juan in 1976 and re-elected in 1980.

Puerto Rico has lived under a constitutional government since 1952. But we recognize that political changes are a continual process. Political parties are seeking the endorsement of the people in an effort to conform to their partisan criteria or ideology of government.

From the beginning of the 20th Century, the island has developed distinct steps in its relationship with the United States during the course of this century.

In 1917, U.S. citizenship was extended to Puerto Ricans and from that time every resident born in Puerto Rico is an American citizen with the right to the protection of its laws and extension of its privileges.

In 1952, Puerto Rico instituted self-government, in accordance with a constitution. This was recognized by the international community in 1953.

It is noteworthy that during the last 30 years political and ideological forces have undergone substantial changes; and, while the political parties that promote independence have lost electoral support, from 19 percent in 1952 to 6 percent in 1980; and the party that supports commonwealth status has decreased from 65 percent to 47 percent; only -- and I emphasize only -- the party that defends the right of Puerto Rico to become a state has increased progressively in each quadrennial election, from 13 percent in 1952 to 47.2 percent in 1980.

The people of Puerto Rico firmly believe in the democratic process. We hold elections every four years and more than 80 percent of the electorate cast their vote. The results are truly representative of the public will.

It is precisely these people who know that the United States supports a political claim to self-determination, and that it will accept, defend and implement the Puerto Rican decision on the issue of status.

The past four presidential administrations and the U.S. Congress have reaffirmed their pledge to respect and defend the right of the people of Puerto Rico to determine their political future through a peaceful process, open and democratic.

Recently, President Reagan said that, although he would support statehood for Puerto Rico if it were the choice of the Puerto Rican people, his administration would accept the decision of the people of Puerto Rico.

I know that the U.S. Congress and the Presidency of the United States defend the right of our people to decide what our political relationship with the United States should be.

Our political evolution continues. Eventually, the people will be consulted anew to amend our constitution and change our relationship with the United States. But it should be clear -- the decision is ours.

The stated position of the United States and Puerto Rican voters in the past is that the political relationship between the United States and Puerto Rico is a matter that involves Puerto Rico and the United States.

This has also been expressed by Luis Ferre, on September 2, 1982, and by Carlos Romero Barcelo, in his testimony before the United Nations in 1978 -- the true leaders, elected and valid representatives of the major party in Puerto Rico.

I, with the strength that has been conferred in me by the electoral support of the people, advocate that we, the Puerto Rican people, have the right and the historic responsibility to decide our system of government and our political relationship with the United States. International intervention and interference affects this right and introduces an external factor in the historic process that has occurred in Puerto Rico.

Puerto Rico is not an international problem, nor does it want to be. We have the capability, the democratic experience and the legal and legislative mechanism for consulting the people.

The international community has recognized this in the past and should recognize it in the present.

Puerto Rico adopted its own constitution in the 1950s, and the General Assembly recognized this in Resolution 748 in 1953; it confirmed that Puerto Rico had exercised self-determination through a democratic process and that resolutions relating to non-self-governing territories no longer applied to Puerto Rico.

In the same resolution (748), it was noted that any change in the relationship between Puerto Rico and the United States would take into account the public will of the people of Puerto Rico.

In 1959, the General Assembly approved Resolution 1469 (XIV), recognizing that Alaska and Hawaii had achieved self-government by being admitted as a state of the Union. In doing so, the international community recognized this as an acceptable form of political integration.

In the same historical context, the General Assembly approved Resolution 1541 (XV), that identified and defined a territory as achieving self-government when (1) it became an independent nation, (2) it established an association, or (3) it became integrated into another state.

I believe it is appropriate to make reference to these resolutions of the General Assembly, because they are relevant to Puerto Rico, and they establish viable alternatives for the Puerto Rican people.

Nevertheless, in recent years, the General Assembly has been asked to revoke these same resolutions, and to interfere with the right of the people of Puerto Rico to true self-determination and to limit our options to resolve our political status.

There can be no selection without alternatives; the issue cannot be determined without options; the right to choose a political form cannot be exercised if there are no choices; there can be no talk of self-determination if Puerto Rico is obliged to pursue the road that has been rejected by 95 percent of the Puerto Rican electorate.

The Puerto Rican people have the constitutional right, under their current political relationship with the United States, supported in its own constitution, to change or amend our constitution in accordance with our own needs, political convictions or ideologies.

The United Nations, in its Resolution 1541 (XV) Principal VII, defended this right.

We reject the right to intervene in our own destiny, and against our own constitution.

In light of this legal and historical analysis, the international community should assume an objective position on Puerto Rico.

As I have indicated, Puerto Rico has evolved in the political arena during recent decades, and we are proud of our economic, technological and industrial development: the Gross Domestic Product now exceeds \$12 billion, per capita income is greater than \$4,000 and average family income is more than \$12,000 per household.

Undoubtedly, recession and worldwide economic problems have affected us, but we look forward to the future with faith in our capacity to sustain and continue the progress that Puerto Rico desires.

We are a people enchanted with our culture, history, lifestyle and traditions.

We are active defenders of the promotion of the arts and culture.

We are dedicating resources to guarantee a good education for our children. Today, more than 900,000 Puerto Ricans are undergoing studies at various levels of education--more than one of every four Puerto Ricans.

We support diverse facilities for theater, music and other forms of art.

The Latin American people, and those of Hispanic descent, can be assured that our political relationship with the United States does not change our cultural feelings and identification.

Our political status will continue to be a matter of primary importance on our agenda in the present and in the future.

The process for bringing about a change will be one that continues our political development and continues the life of our democratic process.

We respectfully request that you unite with us to support the decision of the General Committee to reject the inscription of the question of Puerto Rico on the agenda of the General Assembly.

Our democratic system does not need the intervention of the international community. We Puerto Ricans, and only we, will decide how, and when, our political status will be altered.

This is our responsibility.

This is our right.

This is our destiny.

Thank you.



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Press Release USUN 96 (82)
October 27, 1982

Ambassador William C. Sherman, Alternate United States Representative to the 37th General Assembly, in Plenary, on Item 20, the Situation in Kampuchea, October 27, 1982

Mr. President, for the fourth consecutive year the General Assembly is considering the matter of Kampuchea's military occupation by neighboring Vietnam, a situation denying the Kampuchean people their right to self-determination. Vietnam's action against Kampuchea gravely violates the Charter of the United Nations. Its aggression in Kampuchea also poses a threat to its other neighbors in Southeast Asia. Vietnam persists in defiance of resolutions of the last three sessions of the General Assembly and of the Declaration of the International Conference on Kampuchea, brought together under the leadership of the Association of Southeast Asian Nations and sponsored by the United Nations. Indeed, it is no overstatement to say that Vietnam's aggression against a smaller, weaker neighbor -- if it continues unchecked in this time of threatening international anarchy -- undermines the security of weaker states everywhere.

In Phnom Penh there is a Kampuchean dictator installed and maintained in office only by the presence throughout the country of some 180,000 soldiers of the Socialist Republic of Vietnam. Vietnam in turn is heavily dependent upon supplies from the Soviet Union, and the services of some 10,000 Soviet military advisers in Vietnam, in order to maintain its military occupation of Kampuchea.

The regime installed by the Vietnamese army in Phnom Penh denies its subjects fundamental freedoms of speech, press and association. Free elections are unknown under the rule of the figurehead leader, Heng Samrin. Outspoken opponents and others merely suspected of dissent have been imprisoned or have disappeared. This regime strictly curtails the freedom of the Kampuchean people to pursue the economic, social and cultural development of their families, of their towns and villages, and of their nation.

As a regime of foreign occupation, the so-called "People's Republic of Kampuchea" is breaking apart Kampuchean cultural and national integrity in favor of an elaborate system of Vietnamese colonial domination. A number of former high-ranking functionaries of the Heng Samrin regime

have cast aside their privileges and risked their very lives to become refugees at the Thai border. From Hanoi one hears that occupied Kampuchea actually is "liberated" Kampuchea, and it is true that Hanoi's armies drove the Khmer Rouge from Phnom Penh. But let us not forget that Hanoi, together with its allies in Moscow and elsewhere, materially and enthusiastically supported the coming to power of the Khmer Rouge. Hanoi provided training to Khmer Rouge cadre before the Khmer Rouge capture of Phnom Penh in 1975, and Hanoi supported the Khmer Rouge regime's program of mass murder and ideological nihilism until the Khmer Rouge became, from Hanoi's hegemonistic perspective, too independent.

If the Vietnamese in Kampuchea are truly liberators, then we must ask why nearly 180,000 Vietnamese troops are required to keep the Kampuchean people from overthrowing it. We must ask why the Vietnamese occupation authorities will not allow the safe, legal and orderly repatriation of those Kampuchean peasants now displaced in Thailand, who are willing to risk returning to their farms. We must ask as well why the Vietnamese occupation forces continue to shell heavily civilian concentrations of nationalist Khmer near the Thai border. We must ask why the Vietnamese, following the example given in Afghanistan by their Soviet patrons, are employing chemical weapons against Khmer freedom fighters.

Mr. President, we have stressed the hardship and injustice imposed on the Kampuchean people by the Vietnamese invasion, and we have underlined also the threat this aggressive behavior poses to the other states of the region. In fairness we should also take note of the hardship Vietnam's occupation of Kampuchea is causing the Vietnamese people themselves. Already one of the 20 poorest nations in the world, Vietnam has amassed the world's third largest standing army. The heavy price for this policy of military aggression is being paid for not only by the beleaguered draftees of the Vietnamese army, but also by the heavily taxed farmers and laborers of Vietnam, and the dependent mothers and children of that unhappy and unfree country.

Mr. President, while the Kampuchean people now living under the Vietnamese-imposed dictatorship suffer a lack of freedom to pursue personal, social and economic fulfillment according to their abilities, some Kampucheans have fled and remain outside the control of Heng Samrin and the Vietnamese simply in order to enjoy some greater degree of freedom to pursue their aspirations. The people and government of the Kingdom of Thailand, at no small sacrifice to their own economic and social needs, temporarily have given harbor to hundreds of thousands of Kampuchean refugees fleeing oppression and famine induced by totalitarian policies. Thailand deserves our profound thanks. Moreover, the United Nations system, supported by free, generous and civilized people and their governments, deserves great credit. It has provided generous and ready assistance to Kampucheans who fled their homes in order to find their way back to the ground of freedom and dignity.

Special recognition should be accorded to His Excellency, Mr. Poul Hartling, the United Nations High Commissioner for Refugees, for the outstanding and indispensable work he and his office have performed in protecting and sustaining the refugees in Thailand and in assisting in

the resettlement of many of the Kampucheans to third countries. The Secretary-General and his special representative for humanitarian assistance to the Kampuchean people, Sir Robert Jackson, deserve our praise for mounting a complex joint mission in international aid for desperately hungry and needy Kampucheans in Thailand, in the border area, and in the interior of Kampuchea itself.

Generous assistance from free world governments and voluntary agencies has helped to banish famine from Kampuchea. The Kampucheans seeking haven in Thailand and at the border, however, clearly will require international assistance for some time, and it remains imperative for the well-being of these refugees and displaced persons that the Secretary-General continue to lead the coordination of this assistance, and that governments continue to contribute to the effort.

Mr. President, we have before us a resolution offering the framework for a comprehensive settlement of the political situation that has imposed such great suffering upon the Kampuchean people. The resolution, offered by members of the Association of Southeast Asian Nations and more than 40 other United Nations members, reaffirms declarations by the past three sessions of this Assembly. The essential elements of the ASEAN nations' proposal for a settlement in Kampuchea are simple: first, the withdrawal of all foreign forces; and, second, the enabling of the Kampuchean people freely to choose their government. We have in the past indicated our strong support for the course which ASEAN members have proposed; we are pleased to do so again today.

The pending resolution reaffirms not only these principles, which are essential for peace anywhere, but also the framework for a just Kampuchean settlement established last year in New York at the International Conference on Kampuchea. If followed in good faith by the responsible parties, the prescriptions of the International Conference would bring about the supervised withdrawal of all foreign forces, guarantees of public authorities' respect for the fundamental human rights of the Kampuchean people; a process of free elections to let the Kampuchean people choose a truly Kampuchean government; and safeguards to respect the sovereignty, independence and neutrality of the Kampuchean nation. The United Nations would be given the solemn responsibility of guaranteeing the fairness, openness and honesty of each of these processes.

The International Conference on Kampuchea provides a fair and honorable mechanism for the Vietnamese to withdraw from Kampuchea. In contrast, Vietnam has put forward a counterproposal calling for a regional peace conference that blandly ignores the greatest violation of peace in the region, Vietnam's occupation of Kampuchea. Vietnam makes claims that it has withdrawn some of its troops, but all information is to the contrary. Vietnam has made no reduction of its forces in Kampuchea, but simply has traded units and in the end has reinforced its army of occupation. With the other participants in the International Conference we reiterate our call for Vietnam to move away from this sterile and uncooperative posture and to join in good-faith a resumed International Conference on Kampuchea.

Mr. President, my delegation regards with appreciation the appearance in this Assembly of His Royal Highness Prince Norodom Sihanouk and of His Excellency, Mr. Son Sann, representatives of Kampuchean people struggling for the restoration in their country of national independence, personal freedom, the democratic process and the rule of reason and law. Their participation in the coalition of Democratic Kampuchea gives substance to hopes that popular, democratic, nationalist Kampuchean movements will provide the Khmer with an alternative to the grim choice between the Khmer Rouge and a Vietnamese-dominated Kampuchea.

Prince Sihanouk expressed a love of peace and a will toward understanding shared by civilized people everywhere when he told this Assembly:

"I feel no hate towards Vietnam. I have never ceased to recognize that the geographical position of our two countries make them neighbors to the end of time and that they are, because of this, compelled to understand each other and to listen to each other. This understanding, however, can only be established between equals and not between servant and master."

As Prince Sihanouk has made clear, and as the leaders of ASEAN have affirmed, the resolution before us today in no way threatens the independence and security of Vietnam, Laos, the Soviet Union, or any other nations globally or regionally concerned with the situation in Cambodia. On the contrary, restoring respect for the sanctity of international borders in Southeast Asia and for the fundamental human rights of the people of Kampuchea, will enhance the the peace, stability and well-being of that vital and tormented region, and beyond it, of all regions torn by armed conflict between states.

Mr. President, at this General Assembly, many of us have called attention to the United Nations' failure to deal resolutely and effectively with international aggression. The pattern of aggression is sadly familiar to us all: The aggressor acts swiftly; he overwhelms his weaker adversary; and then he defies the international community to act. The aggressor's hope is to present us with a fait accompli. Over time, he expects that our concern with the fate of his victims will diminish, that our opposition to his "irreversible situation" will ebb. Eventually, the aggressor expects that we will all return to "business as usual."

If we in the General Assembly truly wish to strengthen peacekeeping efforts of the United Nations, I can think of no better place to begin than in Kampuchea. Over the past three years, the General Assembly has stood firm against Vietnam's aggression, has supported the constructive efforts of ASEAN, and has insisted that Vietnam totally withdraw from occupied Kampuchea. This year, we have an opportunity in the form of this resolution on the situation in Kampuchea, to renew our commitment to the goal of an independent and free Kampuchea as well as to the principles of the United Nations Charter which defend all U.N. members against aggression and the world against anarchy. My government asks all United Nations members truly desirous of strengthening our institution to join us in support of the resolution.



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Press Release USUN 101 (82)
October 29, 1982

STATEMENT

BY

AMBASSADOR CHARLES M. LICHENSTEIN

UNITED STATES REPRESENTATIVE, IN THE SPECIAL POLITICAL COMMITTEE,
ON "QUESTIONS RELATING TO INFORMATION,"

OCTOBER 29, 1982

Mr. Chairman,

There is no item on this committee's agenda to which my delegation attaches greater importance than the one now before us--on "Questions Relating to Information". In this judgment we fully reflect the primacy for the government and the people of the United States of a free and open marketplace of ideas and information, operating under the disciplines of a rigorous professionalism and of a deep sense of responsibility for balance, objectivity, fairness, and scrupulous accuracy. We impose a very high standard on journalists, on all of those in our society indeed who convey and communicate ideas. Because, of course, for us ideas do have consequences: they are the carriers of our civilization, the lifeblood of our institutions of self-government.

We do not impose these deeply-held convictions of ours on any of the delegations or any of the Member States represented in this chamber. But, without apology, we offer them for your consideration.

We suggest them as the underlying premises of our deliberations on "Questions Relating to Information".

This past June, in the Committee on Information--whose report is before us as document A/37/21--the United States representative referred to the "free flow of information and ideas"

in the context of Article 19 of the Universal Declaration of Human Rights, and I take leave to quote again from that major affirmation:

...(E)veryone has the right to freedom of opinions and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

This article of the Universal Declaration reflects, as I have noted, the most profound conviction of the American people; and it is reflected, in turn, in last year's notable Declaration of Talloires and in this year's Council of Europe declaration, both of which were addressed specifically to the freedoms of expression and information.

The report of the Committee on Information was adopted by consensus. It represented several weeks of hard work and hard bargaining. It did not wholly satisfy my delegation, nor any other delegation I suspect. But it did signify a hopeful and a healthy trend for the United Nations generally --a trend toward emphasis on that which unites us, on consensus-building. And even though we are disturbed by the re-opening of most of the questions that so many worked so hard to resolve this past summer in the Committee on Information, even though we are constrained to question the efficacy of that committee's deliberations and of a process that too often surveys and re-surveys the same ground--even so, Mr. Chairman, my delegation

earnestly hopes that the spirit of consensus can be revived and that it will take hold here, as the Special Political Committee continues its deliberations on this item in a Working Group of interested Member States.

But there are other disturbing signs as well that we feel must be addressed.

One of them was the profoundly disturbing, even repugnant, but in no way surprising statement by the representative of Cuba. It was a tissue of fabrications and fantasies, and for the most part deserves only silent contempt. (The revelation that INTELSAT is a kind of wholly-owned subsidiary of two major American financial institutions must, however, have come as quite a shock to INTELSAT's eminent governing board, most of whose members are officials of governments represented in this chamber--but that is what I mean by fabrications and fantasies.) The Cuban statement tells us nothing about the realities of the burgeoning universe of communications systems presently evolving in the West and indeed around the world, nor about their diverse ownership (some public, some private), nor about the competitive environment in which they operate, nor about the proliferation of services these systems offer at lower and lower unit cost--services to governments, to businesses, to journalists and broadcasters, to communities and individuals. These communications systems are basically neutral, politically and ideologically. And the more of them there are, and the more competitive they are, the more neutral they become.

It is against the backdrop of this new and emerging communications universe that we have to reflect on the Cuban representative's fantasy-world of capitalist conspiracies and clandestine cartels, of information-control and the suppression of ideas. As I have observed, this Cuban world-view tells us nothing at all about the realities of opportunities now before us--where abundance of communications vehicles leads to greater freedom in the flow of information and ideas, and greater freedom produces still greater abundance. But it does indeed tell us all we need to know about the oppression that the Cuba of Fidel Castro imposes on its own people, and seeks to export throughout this Hemisphere and to other continents. This system of oppression, Soviet-designed, Soviet-sponsored, is the common thread that runs through several of the statements we have heard in the debate on this item--most particularly in the statement yesterday by the representative of Poland. All of them attack the free flow of ideas and information as "interference in their internal affairs," as dangerous to the stability of their regimes-- and, in a strange and significant sense, they are right. We are engaged in a serious conflict with these and all other efforts to stifle freedom. It is the only conflict that the government and people of the United States deblierately seek. In this conflict our weapons are ideas and information--our ultimate weapon, of course, is the truth. This is a weapon more powerful than any available to our detractors. It is a conflict we intend to pursue with every resource available to us. And, because truth is on our side, we intend, however long it may take, to win this conflict of ideas and information.

It seems to my delegation especially ironic, and especially telling, that the effort to "protect" the courageous people of Poland against Western information sources--to insulate them from the truth which apparently is so threatening to the martial law regime in that country--takes the form of massive and illegal interdiction of radio signals by electronic means. And this deliberate jamming of Polish-language broadcasts by Western communications entities, some public, some private, originates not in Poland at all but rather in the Soviet Union.

And let there be no doubt about it: this effort to break through the barriers to truth erected around Poland, around Cuba, around all of the captive peoples of the new Soviet colonialism, this effort will continue as long as their own rulers deny them access to the free flow of ideas and information.

In this context, Mr. Chairman, another disturbing sign takes on particular significance. I refer to the recent report of the Joint United Nations Information Committee in document ACC/1982/22, dated 5 August 1982. This report is titled, PUBLIC PERCEPTIONS OF THE UNITED NATIONS SYSTEM, and it contains two themes that are more than just disturbing: they are shocking.

One theme is the quite incredible statement that "in the socialist countries" (not otherwise specified) the mass media provide "regular" and "continuing support" for U.N. efforts "directed toward international cooperation". The report--

which even more incredibly is the work of the U.N. system's own professional information officers--provides not a shred of evidence or documentation, just the statement.

In what, therefore, does this "regular" and "continuing" support consist? Do the socialist mass media report "regularly" on General Assembly resolutions on Afghanistan, for example? Or on Cambodia? Or on the experts' group investigation of "yellow rain"? Or on U.N. peacekeeping operations--to which the leader of the socialist bloc contributes scarcely a single ruble? Or on refugee relief efforts--to which, again, the socialist bloc contributes almost nothing? Or on the full range of human rights resolutions, including for example the investigation of massive human rights violations in Poland? That such a report could contain such a statement, Mr. Chairman, ought to be beyond belief.

The explanation, I fear, lies in a second principal theme of the JUNIC report--which addresses "public perceptions" of the United Nations. On closer analysis, the report is not really about information at all: it is about P.R., public relations. And the confusion between the two--as dangerous as it is disturbing--is total.

In all candor, there is much about the U.N. system that merits praise and plaudits and strong public support; and there is, unfortunately, much that demands criticism and even condemnation. Thoughtful, judicious, and balanced assessment of the U.N. record of performance--measured always against the high

standards of the Charter itself, and of public hopes and public expectations--is a matter of the greatest urgency. It was of course the subject of this year's annual report of the Secretary-General, a report notable for its boldness, for its honesty, for its prudence, for the deep concern that informed every line of it. It is a subject that calls for the profound reflection of every Member State, and of everyone who truly cares about the peaceful resolution of international disputes and conflicts. It does not call for P.R. or image-building. Good performance is its own reward--and public perception, reinforced by solid and professional journalism, by the communication of information, not propaganda, public perception will take care of itself.

My delegation is disturbed by these various signs of confusion, of uncertainty, Mr. Chairman, and by the continuing failure of the U.N. Department of Public Information to confront the growing problem of the allocation of limited resources--both financial and professional--to a wish-list of virtually unlimited dimensions. Every Member State in this organization is a taxpayer. Nearly all of us want and intend to be good and responsive world citizens: we will continue to make our contributions, to pay our reasonable share. But we must insist on the setting of priorities, on careful management, on fiscal prudence, on zero-based budgeting, and on zero budget growth--and, let there be no question on this score, my delegation will so insist.

Mr. Chairman, the United States believes deeply in the Charter of the United Nations and in its fundamental purposes. We are dedicated to the strengthening of the United Nations and to its success. And we believe, equally, in the primacy of the information function, sharply distinguished from the propaganda function--within the U.N. system and between the U.N. and its worldwide constituencies.

We look forward to cooperating fully with the Working Group--and hope that, from all these arduous but satisfying labors, a strong consensus resolution will emerge. We pledge our own best efforts to this end.

Thank you.



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Press Release USUN 123-(82)
November 12, 1982

STATEMENT BY
THE HONORABLE GORDON C. LUCE
ALTERNATE UNITED STATES REPRESENTATIVE
TO THE 37th SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY
IN PLENARY
ON THE POLICIES OF APARTHEID
NOVEMBER 12, 1982

MR. PRESIDENT,

THE SITUATION IN SOUTH AFRICA DESERVES THE ATTENTION OF ALL CONCERNED WITH RESPECT FOR HUMAN RIGHTS IN THE CONTEMPORARY WORLD. THE PRACTICE OF APARTHEID IN SOUTH AFRICA GRAVELY CONCERNS THE GOVERNMENT OF THE UNITED STATES. IT DEEPLY TROUBLES THE CONSCIENCE OF AMERICANS. THE SYSTEM OF APARTHEID IS AT FUNDAMENTAL VARIANCE WITH THE VALUES OF LIBERTY, EQUALITY AND DEMOCRACY WHICH CONSTITUTE THE VERY FOUNDATION OF AMERICAN SOCIETY.

ALTHOUGH THE SUBJECT OF OUR DEBATE TODAY IS "APARTHEID" -- A WORD WHICH, BY VIRTUE OF ITS LINGUISTIC ORIGINS APPLIES ONLY TO SOUTH AFRICA -- THE BROADER ISSUE OF CONCERN IS THE FUNDAMENTAL RIGHT OF ALL PEOPLES TO EQUAL OPPORTUNITY WITHOUT REGARD TO RACE, COLOR, OR CREED. AS WE DISCUSS APARTHEID AS IT APPLIES TO SOUTH AFRICA, I TRUST THAT MEMBERS OF THIS ASSEMBLY WILL BEAR IN MIND THAT APARTHEID IS NOT THE ONLY SYSTEM BY WHICH CONTEMPORARY GOVERNMENTS DENY CITIZENS FREEDOM OF SPEECH AND ASSEMBLY, THE RIGHT TO DEMOCRATIC PARTICIPATION IN GOVERNMENT AND EQUALITY UNDER THE LAW. GOVERNMENT BY AND WITH THE CONSENT OF THE GOVERNED REMAINS A RARE COMMODITY IN OUR WORLD. THE PRINCIPLES OF FREEDOM, EQUALITY, DEMOCRACY AND THE STANDARDS OF HUMAN RIGHTS WHICH SO MANY ENDORSE FOR SOUTH AFRICA ARE ALSO UTTERLY ABSENT FROM THE POLITICAL PRACTICE OF MANY OTHER NATIONS REPRESENTED HERE.

APARTHEID IS DEPLORABLE BECAUSE IT ROBS A PERSON OF HIS DIGNITY, IT DOES NOT EVEN PRETEND TO DEAL WITH PEOPLE EQUALLY.

THE UNITED STATES HAS NO BLUEPRINT FOR A FUTURE POLITICAL SYSTEM FOR SOUTH AFRICA. NOR DO WE, OR ANY OTHER MEMBER OF THIS BODY, HAVE A RIGHT TO ATTEMPT TO IMPOSE SUCH A PLAN. WE DO HAVE A RIGHT TO ASK OF SOUTH AFRICA RESPECT OF THE SAME UNIVERSAL PRINCIPLES OF HUMAN RIGHTS AND HUMAN FREEDOMS THAT WE SEEK FOR PEOPLES EVERYWHERE.

FOR SOUTH AFRICA, AS FOR CITIZENS EVERYWHERE, WE ASK GOVERNMENT THAT RESTS SQUARELY ON THE FREELY EXPRESSED CONSENT OF THE GOVERNED.

APARTHEID, WE FEEL SURE, WILL NEVER BE ACCEPTED BY THOSE TO WHOM IT APPLIES. SOUTH AFRICA'S PROGRAM OF FORCED SETTLEMENT TO, AND ASCRIBED CITIZENSHIP IN SO-CALLED "HOMELANDS" FOR BLACK SOUTH AFRICANS DOES NOT REST ON CONSENT. WE BELIEVE IT WILL NEVER BE ACCEPTED BY THOSE AFFECTED BY IT. LET US BE CLEAR, ALSO, THAT THE FACT THAT FORCED RESETTLEMENT IS PRACTICED BY MANY OTHER GOVERNMENTS

IN AFRICA AND AROUND THE WORLD DOES NOT DIMINISH ITS INJUSTICE. THE UNITED STATES REGARDS THESE "HOMELANDS" AS INTEGRAL PARTS OF SOUTH AFRICA AND CONSIDERS THEIR INHABITANTS TO BE SOUTH AFRICAN CITIZENS. _

WE CANNOT ABANDON OUR OPPOSITION TO A SYSTEM THAT DOES NOT PROVIDE OR PERMIT FULL CITIZENSHIP AND FULL RESPECT FOR THE HUMAN RIGHTS OF ALL ITS CITIZENS. WE DISAPPROVE OF AND DEPLORE ALL GOVERNMENTS THAT DENY FULL CITIZENSHIP TO ALL CITIZENS. THAT INCLUDES SOUTH AFRICA.

THE POINT OF DEBATE LIKE THIS, HOWEVER, IS NOT MERELY TO CRITICIZE PRACTICES OF A GOVERNMENT. IF OUR DELIBERATIONS HERE ARE TO HAVE BENEFICIAL CONSEQUENCES, OUR OBJECTIVE MUST BE TO DEVISE EFFECTIVE AND CONSTRUCTIVE MEANS BY WHICH THE INTERNATIONAL COMMUNITY CAN ENCOURAGE GENUINE CHANGE.

SUCCESSIVE U.S. ADMINISTRATIONS HAVE ENGAGED IN CONCRETE EFFORTS TO PROMOTE CHANGE THROUGHOUT THE SOUTHERN AFRICAN REGION. WE SUPPORTED NEGOTIATIONS THAT LED TO

ZIMBABWE'S INDEPENDENCE IN 1980. WE ARE CURRENTLY ENGAGED, WITH OTHER MEMBERS OF THE WESTERN CONTACT GROUP, IN AN INTENSIVE EFFORT TO BRING INTO BEING AN INDEPENDENT, STABLE, DEMOCRATIC NAMIBIA, THROUGH NEGOTIATIONS BASED ON SECURITY COUNCIL RESOLUTION 435. WHILE OUTSTANDING ISSUES MUST STILL BE RESOLVED, SUBSTANTIAL PROGRESS HAS BEEN MADE. WE REMAIN CONFIDENT THAT, WITH THE GOOD FAITH AND PERSISTENT EFFORT OF ALL CONCERNED, THESE NEGOTIATIONS CAN AND WILL LEAD TO A SETTLEMENT IN NAMIBIA THAT WILL GREATLY ENHANCE THE PROSPECTS FOR STABILITY THROUGHOUT THE REGION.

THESE EXAMPLES ARE NOT INCIDENTAL TO SOUTH AFRICA ITSELF. THEY DEMONSTRATE THAT NEGOTIATION AND DIALOGUE CAN LEAD TO SOLUTIONS WHICH PRESERVE AND PROTECT THE RIGHTS AND INTERESTS OF BLACKS AND WHITES ALIKE. THEY ESTABLISH THAT CHANGE, WHILE INEVITABLE, NEED NOT NECESSARILY BE FEARED OR RESISTED.

THE U.S. EFFORT TO BRING ABOUT THE ATTAINMENT OF INDEPENDENCE TO NAMIBIA IS, THEREFORE, AN INTEGRAL PART OF BROADER U.S. POLICY IN THE REGION, AND TOWARD SOUTH AFRICA SPECIFICALLY. AT THE SAME TIME, WE HAVE ALSO UNDERTAKEN SPECIFIC ACTIONS DESIGNED TO ENCOURAGE MOVEMENT AWAY FROM APARTHEID TOWARD A MORE EQUITABLE SYSTEM.

WE HAVE REAFFIRMED OUR COMMITMENT TO THE EFFECTIVE IMPLEMENTATION OF THE SECURITY COUNCIL ARMS EMBARGO AGAINST SOUTH AFRICA, AS IS FITTING SINCE, IN 1963, WE BECAME THE FIRST MAJOR COUNTRY TO IMPOSE A UNILATERAL ARMS EMBARGO. THIS WAS A DECADE AND A HALF BEFORE WE JOINED WITH OTHER MEMBERS OF THE SECURITY COUNCIL IN IMPOSING A MANDATORY ARMS EMBARGO. U.S. RESTRICTIONS ON SALE TO SOUTH AFRICAN MILITARY AND POLICE GO WELL BEYOND THE REQUIREMENTS OF THE SECURITY COUNCIL ARMS EMBARGO. THEY ARE AT LEAST AS RIGOROUS -- AND AS RIGOROUSLY ENFORCED -- AS THOSE OF OTHER NATIONS.

OUR STRICTLY ENFORCED RESTRICTIONS, DATING FROM 1975, ON THE SALE OF NUCLEAR MATERIALS OR ANY OTHER ITEMS THAT COULD BE USED IN DEVELOPING SOUTH AFRICA'S CAPACITY TO PRODUCE NUCLEAR WEAPONS, ARE CONSISTENT WITH OUR OVERALL POLICY OF DISCOURAGING, AS VIGOROUSLY AS WE CAN, THE PROLIFERATION OF NUCLEAR WEAPONS ANYWHERE IN THE WORLD. WE HAVE NOT AND WILL NOT PERMIT THE SALE OF FUEL OR SENSITIVE NUCLEAR MATERIALS EXCEPT TO NATIONS THAT SIGN THE NUCLEAR NON-PROLIFERATION TREATY AND ACCEPT FULL SCOPE SAFEGUARDS ON ALL THEIR NUCLEAR FACILITIES.

FOR YEARS THERE HAS BEEN WIDESPREAD AGREEMENT THAT APARTHEID EDUCATION IS ONE OF THE MOST DAMAGING FACETS OF

THE APARTHEID SYSTEM. THE UNITED STATES, FOR ONE, IS NOW LOOKING BEYOND MERE EXPRESSIONS OF SYMPATHY AND OUTRAGE TOWARD PRACTICAL WAYS TO RECTIFY THAT SITUATION. WE HAVE CONTINUED TO CONTRIBUTE TO THE U.N. EDUCATIONAL AND TRAINING PROGRAM FOR SOUTHERN AFRICA AND HAVE MAINTAINED OUR REFUGEE SCHOLARSHIP PROGRAMS. IN 1982 A U.S. EFFORT, JOINTLY SPONSORED BY THE U.S. GOVERNMENT AND THE AMERICAN PRIVATE SECTOR, BROUGHT 117 BLACK SOUTH AFRICANS TO THE UNITED STATES ON FULL SCHOLARSHIPS AT AMERICAN UNIVERSITIES AND COLLEGES. THE U.S. CONGRESS HAS EARMARKED \$8 MILLION FOR THIS PROGRAM. WE HAVE ALSO BEGUN A SUBSTANTIAL PROGRAM OF EDUCATIONAL ASSISTANCE IN CONJUNCTION WITH BLACK COMMUNITY GROUPS IN SOUTH AFRICA, ENTIRELY OUTSIDE THE APARTHEID EDUCATIONAL SYSTEM. IN SO DOING, WE IN NO WAY INTEND TO ABSOLVE THE SOUTH AFRICAN AUTHORITIES OF THEIR OWN RESPONSIBILITY TO PROVIDE EQUALITY IN EDUCATION, AS IN ALL OTHER FIELDS.

WE ALSO SUPPORT EXCHANGE PROGRAMS BETWEEN THE U.S. AND SOUTH AFRICA. THESE INCLUDE VISITS BY AMERICAN TRADE UNIONISTS, WHO LEND SUPPORT AND ENCOURAGEMENT TO THE BLACK TRADE UNION MOVEMENT IN SOUTH AFRICA -- A MOVEMENT WHICH PROMISES TO BECOME A SIGNIFICANT FORCE FOR DEMOCRATIZATION. PROMINENT SOUTH AFRICAN EDUCATORS AND ECCLESIASTS HAVE ALSO TRAVELLED TO THE UNITED STATES, OFTEN ON GRANTS PROVIDED

BY THE U.S. GOVERNMENT. THE ENCOURAGEMENT OF SUCH CONTACTS AND COMMUNICATION ESTABLISH LINKS BETWEEN THOSE ³ INSIDE AND OUTSIDE SOUTH AFRICA WHO SHARE A COMMON COMMITMENT TO EQUAL OPPORTUNITY AND PEACEFUL CHANGE.

FINALLY, THE U.S. GOVERNMENT HAS CONTINUED TO ENCOURAGE AND SUPPORT THE EFFORTS OF THE AMERICAN PRIVATE SECTOR, WHICH ALSO SERVES AS A POSITIVE INSTRUMENT OF SOCIAL AND ECONOMIC CHANGE. MOST AMERICAN COMPANIES OPERATING IN SOUTH AFRICA HAVE SUBSCRIBED TO A SET OF FAIR EMPLOYMENT PRACTICES, KNOWN AS THE SULLIVAN CODE. TOGETHER WITH SIMILAR CODES ADOPTED BY THE PRIVATE SECTORS OF OTHER COUNTRIES, THE SULLIVAN CODE HAS ENCOURAGED PROGRESS IN ELIMINATING DISCRIMINATORY PRACTICES IN WORK PLACES, THE GRANTING OF EQUAL PAY FOR EQUAL WORK, AND INCREASED TRAINING AND PROMOTION OPPORTUNITIES FOR BLACK WORKERS. IN ADDITION, BY THEIR WILLINGNESS TO RECOGNIZE AND WORK WITH BLACK LABOR UNIONS, AMERICAN AND OTHER FOREIGN ENTERPRISES HAVE ALSO CONTRIBUTED TO THE RAPID GROWTH OF THE BLACK TRADE UNION MOVEMENT, WHICH IS DESTINED TO PLAY AN INCREASING ROLE IN THE STRUGGLE FOR ECONOMIC, SOCIAL AND POLITICAL EQUALITY IN SOUTH AFRICA.

MR. CHAIRMAN, WE HAVE LISTENED WITH INTEREST TO THE STATEMENTS OF OTHER DELEGATIONS. WE WERE MOVED BY THE

WORDS OF OUR GOOD FRIEND AND COLLEAGUE, THE DISTINGUISHED REPRESENTATIVE OF NIGERIA, WHO IS CHAIRMAN OF THE SPECIAL COMMITTEE AGAINST APARTHEID. WE UNDERSTAND HIS INTENSELY FELT ABHORRENCE OF THE SYSTEM OF APARTHEID AND HIS COMMITMENT TO BRINGING ABOUT ITS ELIMINATION. HOWEVER, WE CANNOT ENDORSE HIS BELIEF THAT SOUTH AFRICA'S INCREASING ISOLATION -- POLITICAL, ECONOMIC AND CULTURAL -- WILL BRING ABOUT THE KIND OF CONSTRUCTIVE CHANGE WE SO URGENTLY AND VIGOROUSLY SEEK.

IN OUR JUDGMENT, SUCH A COURSE IS NOT A PRESCRIPTION FOR CHANGE BUT A BLUEPRINT FOR DISASTER, A COURSE WHOSE HUMAN CONSEQUENCES WOULD BE FELT NOT ONLY IN SOUTH AFRICA ITSELF, BUT THROUGHOUT THE REGION. TO PURSUE SUCH A COURSE WOULD CONSTITUTE AN ADMISSION OF DEFEAT. IT WOULD DENY HOPE TO THOSE IN SOUTH AFRICA -- BLACK AND WHITE ALIKE -- WHO SEEK A PEACEFUL WAY OUT OF THE NIGHTMARE OF APARTHEID. IT WOULD CONDEMN THOSE WHOSE LIVES WE SEEK TO IMPROVE TO AN UNENDING AND DEEPENING CYCLE OF VIOLENCE AND REPRESSION -- A CYCLE OF VIOLENCE THAT WOULD HAVE GRAVE CONSEQUENCES NOT ONLY FOR SOUTH AFRICA, BUT FOR THE REGION AS A WHOLE. IT WOULD CREATE CONDITIONS THAT WOULD MAKE ANYTHING BUT A VIOLENT CATAclysm IMPOSSIBLE. SURELY, THIS IS NOT WHAT THE AMBASSADOR OF NIGERIA INTENDS; BUT IT IS, I FEAR, THE LOGICAL CONSEQUENCE OF THE APPROACH HE HAS ADVOCATED.

WE DO NOT PRETEND THAT THE ACTIONS WE HAVE TAKEN OR MAY UNDERTAKE IN THE FUTURE WILL, IN AND OF THEMSELVES, BRING ABOUT FULL DEMOCRACY IN SOUTH AFRICA. ULTIMATELY, THE FUTURE OF THAT COUNTRY WILL BE DECIDED BY THE PEOPLE OF SOUTH AFRICA THEMSELVES. BUT THOSE IN SOUTH AFRICA WHO WORK FOR PEACEFUL CHANGE NEED AND DESERVE OUR UNDERSTANDING, OUR ENCOURAGEMENT AND OUR SUPPORT.

SOUTH AFRICANS DO NOT NEED TO BE TOLD THAT THE STATUS QUO IS DEPLORABLE AND UNTENABLE. THEY DO NOT NEED TO BE TOLD THAT THE BLACK POPULATION, WHICH, IT IS ANTICIPATED, WILL DOUBLE TO NEARLY 40 MILLION BY THE END OF THE CENTURY, WILL NOT FOREVER ENDURE THE SUFFOCATION OF ITS ASPIRATIONS. THEY DO NOT NEED TO BE TOLD THAT REPRESSION AT HOME AND INTIMIDATION DIRECTED AGAINST SOUTH AFRICA'S NEIGHBORS ARE NO SUBSTITUTE FOR A SUCCESSFUL EFFORT TO ADDRESS SOUTH AFRICA'S OWN INTERNAL PROBLEMS AND POLICIES. WHITE SOUTH AFRICANS NEED NO REMINDER THAT THEIR FUTURE, AND THAT OF THEIR CHILDREN, CAN ONLY BE SECURED IF THEY IN TURN ARE WILLING TO ACCOMMODATE THE INTERESTS AND ASPIRATIONS OF SOUTH AFRICA'S BLACKS. SOUTH AFRICANS NEED NOT BE REMINDED THAT CHANGE IS NEEDED, DRAMATIC, CONSTRUCTIVE, PEACEFUL CHANGE. THESE ARE SELF-EVIDENT TRUTHS.

THESE SELF-EVIDENT TRUTHS, MOREOVER, ARE PRESENT TODAY IN SOUTH AFRICA'S PERCEPTION OF ITSELF. THE SOUTH AFRICAN

GOVERNMENT HAS ANNOUNCED PROPOSALS FOR REPLACING THE PRESENT WHITES-ONLY PARLIAMENT WITH A TRICAMERAL LEGISLATURE, IN WHICH SOUTH AFRICANS OF ASIAN AND MIXED DESCENT WOULD FOR THE FIRST TIME BE ACCORDED A DEGREE OF POLITICAL REPRESENTATION. WE CANNOT CELEBRATE A PROPOSAL THAT PERPETUATES A RACIAL APPROACH TO POLITICAL ENFRANCHISEMENT, AND CONTINUES TO EXCLUDE THE 72% BLACK MAJORITY FROM NATIONAL POLITICAL LIFE. IT IS NONETHELESS SIGNIFICANT THAT THESE PROPOSALS REFLECT INCREASING AWARENESS WITHIN SOUTH AFRICA OF THE NEED TO MOVE TOWARD A BROADER SHARING OF POWER. THERE ARE OTHER INDICATIONS THAT A PROCESS OF CHANGE HAS BEGUN. HOW RAPIDLY THIS EVOLUTION WILL OCCUR CANNOT NOW BE FORESEEN. BUT IT IS UNDERWAY.

FOR ITS PART, THE UNITED STATES IS COMMITTED TO SUPPORTING, BY DEED AS WELL AS WORD, A PROCESS OF PEACEFUL CHANGE AWAY FROM APARTHEID. SO LONG AS THERE ARE PEOPLE IN SOUTH AFRICA, BLACK AND WHITE, MAKING A SINCERE AND DETERMINED EFFORT TO CREATE A SYSTEM BASED ON LIBERTY, EQUALITY AND DEMOCRACY, THEY WILL HAVE OUR FULL ENCOURAGEMENT AND SUPPORT.

WE WILL NOT BE PARTY TO POLICIES THAT CAN ONLY ENCOURAGE A DEEPENING CYCLE OF VIOLENCE AND REPRESSION. WE WILL NOT SUPPORT POLICIES THAT SUBSTITUTE ONE REPRESSIVE SYSTEM FOR ANOTHER. POSSIBILITIES FOR PEACEFUL CHANGE EXIST IN

SOUTH AFRICA. INDEED, PEACEFUL CHANGE IS UNDER WAY. THE OPPORTUNITY STILL EXISTS FOR REASON AND DEMOCRATIC WILL TO PREVAIL. WE CAN AND MUST MAKE EVERY EFFORT TO PRESERVE FOR THE PEOPLE OF SOUTH AFRICA -- BLACK AND WHITE -- AN ALTERNATIVE TO VIOLENT CONFRONTATION ON THE ONE HAND AND HOPELESS PARALYSIS ON THE OTHER. WE HOPE OTHERS WILL JOIN US IN THESE EFFORTS.

THANK YOU, MR. PRESIDENT.



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November 24, 1982

Statement by Ambassador Jeane J. Kirkpatrick, United States Permanent Representative to the United Nations, in Plenary Session of the 37th General Assembly, on Item 25, the Situation in Afghanistan, November 24, 1982

Once again the issue of Afghanistan is before the General Assembly. Once again, in what is by now a familiar exercise, one representative after another will come before this body to decry the Soviet invasion of Afghanistan and the continuing and increasingly brutal attempt to subjugate the Afghan people. And once again we will consider, and hopefully adopt by another overwhelming majority, a resolution calling for the withdrawal of the Soviet occupation force, respect for Afghanistan's right of self-determination, restoration of Afghan independence and nonalignment, and the return of the Afghan refugees to their homes in safety and honor.

The familiarity of this exercise must not be allowed to detract in any way from its extraordinary significance. Of all the issues before this Assembly, none has more far-reaching implications than the issue of Afghanistan. The aggression committed by the Soviet Union in Afghanistan and its proxies elsewhere has had and continues to have a great impact upon the climate and course of East-West relations. Such aggression ominously affects the entire fabric of international relations and the future of the state system based upon respect for the principles of territorial integrity, national independence, and political sovereignty. These actions bear directly upon the capacity of states, especially those most vulnerable, to retain their unique identities and to fulfill their aspirations in peace and security.

The Afghan people are fighting for their own survival, but their struggle has a much broader meaning. If a small, relatively defenseless, nonaligned country like Afghanistan is allowed to be invaded, brutalized, and subjugated, what other similarly vulnerable country can feel secure? If the fiercely independent and incredibly courageous people of Afghanistan are uprooted, economically ravaged, culturally annihilated, and eventually subdued, the survival of other peoples -- even those equally resilient -- will be endangered.

The effort to subjugate the Afghan people and to impose upon them a form of alien and totalitarian rule has been marked by a degree of violence against the population that is exceeded in the recent past only by the terrible tragedy in Cambodia. The crimes against the

Afghan people have taken place far from the eye of world publicity, behind a tight curtain of totalitarian disinformation and thought control. Still, the story of the brutality has come out -- as it often does in such situations -- from refugee accounts and, from reports of journalists and doctors who have ventured into the country.

One measure of the extent of the violence inflicted upon the Afghan people is the number of refugees uprooted from their homes and forced to flee to neighboring countries. When the illegitimate regime of Babrak Karmal was installed as a result of the Soviet invasion, the number of refugees in Pakistan had already reached 400,000. These refugees had fled the reign of terror unleashed against Afghanistan by the earlier Communist regimes of Taraki and Amin. Babrak promised an end to the methods of terror used by his predecessors. But in the less than three years of his rule, the number of Afghan refugees in Pakistan and Iran has increased nearly tenfold to over 3 million, almost one-quarter of the estimated 1978 population of Afghanistan. This is the largest single refugee mass in the world for any one national group.

Even these figures fail to convey the full extent of the dislocation and suffering of Afghanistan, since there have been many hundreds of thousands of internal refugees who have fled from the rural areas where the fighting has been most intense. The depopulation of the countryside, it appears, has been the deliberate goal of Soviet scorched earth policies in rural areas controlled by the resistance. As a result of the fighting in these provinces, many farmers have been unable to gather their crops and there is a danger this winter of famine.

The last General Assembly called upon the Soviet Union to withdraw its forces from Afghanistan. Far from respecting the decision of the Assembly, the Soviets over the past year have augmented their forces in Afghanistan to approximately 105,000, and they have conducted their most ruthless, wide-ranging, and systematic offensive of the entire war. The heightened aggressiveness of the Soviet forces became evident in January when the Soviets bombarded, shelled and occupied the resistance stronghold of Qandahar, Afghanistan's second largest city located some 250 miles southeast of Kabul. The brutal action in Qandahar, which resulted in high civilian casualties, was repeated two months later in Herat and Mazar-E-Sharif, and later in the spring against the northeastern town of Tashkurgan. In the early summer the town of Aq Gozar in the far northwest was rendered unfit for human habitation by systematic air and tank strikes.

As brutal as these attacks have been, the main thrust of the Soviet offensive took place closer to Kabul in the spring and summer of this year. The principal targets were villages in the Panjsher and Logar Valleys and the Shomali region, and districts near Kabul, particularly the mountain town of Paghman located only twelve miles northwest of the capital. These attacks have been marked by indiscriminate bombardments of villages resulting in thousands of civilian casualties, many of them women and children. Survivors also relate that Soviet troops, frustrated in their search for resistance fighters, have committed numerous acts of terrorism against civilians.

In Qandahar, for example, accounts of rape and plunder by Soviet troops following last January's bombing shocked and alienated even the most enthusiastic apologists of the Babrak regime. According to

eyewitness reports from the Shomali region, in one village all males over the age of ten were shot in the presence of their female relatives. The Swedish journalist Borje Almquist, who visited the Logar Province in July and August, has described similar incidents in that area, as indeed such incidents have been reported from all over Afghanistan. According to Almquist, women, children and old men were dragged into the street and executed, while civilians with their hands tied behind their backs were used instead of sand sacks for protection in street fighting. He also reported the burning of harvests, the poisoning of food and drinking water, and the plundering of homes and shops.

The Soviets also continue to use antipersonnel "butterfly bombs" and boobytrapped objects such as toys, cigarette packs and pens, in gross violation of an international convention outlawing such weapons which they themselves signed in 1981. Earlier this year a team of French doctors which had returned from as far inland as the central highlands of Hazarajat charged that the Soviets scatter such mines over fields, villages, and mountain paths, causing heavy casualties among inhabitants, especially among children who are the least wary. "We have treated many children whose hands and feet are blown up by such mines," said Dr. Claude Malhuret, a member of the French medical team. He also revealed that the Soviets, fearing that the French doctors might speak about what they had seen, destroyed their hospitals in an attempt to drive them out of the country.

Boobytrap mines are not the only outlawed weapons used by the Soviets against the people of Afghanistan. They continue to use chemical weapons in violation of both the Geneva Protocol of 1925 and the 1972 Biological Weapons Convention which they, along with 110 other countries, have ratified. Earlier this year the United States listed 47 known chemical attacks in Afghanistan. They began as early as 6 months before the invasion and have resulted in over 3,000 deaths. These attacks have continued. Just last September a Soviet soldier captured by the resistance, Anatoly Sakharov, said that he knew of three types of chemical agents used by the Soviets in Afghanistan. His testimony about the effects of one of them, a particularly deadly agent which he called "smirch," corresponds closely to reports given to the U.N. experts team by doctors working with refugees in Pakistan. The doctors noted that on several occasions after attacks on villages, "bodies had quickly decomposed, and limbs had separated from each other when touched." Sakharov also described a chemical attack on resistance fighters in which the Soviet soldiers had been ordered to use gasmasks.

Next week the United States will make public an updated report on chemical and biological weapons which will contain new information regarding the Soviet Union's continued use of these illegal weapons in Afghanistan as well as in Laos and Kampuchea.

Nothing more clearly demonstrates the courage and resilience of the Afghan freedom fighters, or the Afghan people's universal hatred of the Soviet occupation, than the fact that the resistance forces remain intact and active throughout the country despite the massive violence that the Soviets have used against them. In the Panjsher and in Paghman, for example, the Soviets were able to establish footholds as the Mujahidin melted into the hills. But as soon as the main invading force withdrew, the resistance overran the newly established

government outposts and regained control of these positions. Similarly, savage bombardments in the Shomali temporarily drove the Mujahidin back from the main roads but in no way broke their organization. Even in the devastated city of Qandahar the freedom fighters have been able to mount operations against the occupying forces, the most notable being a spectacular jailbreak and freeing of prisoners last August. Destroyed Soviet tanks and transport vehicles litter the roadsides throughout Afghanistan, testimony to the Soviets' continuing inability to establish security in the countryside or control over the population.

The most glaring and revealing failure of the Soviets has been their inability to build the various branches of their puppet regime's armed forces into effective units that could take over the brunt of the fighting. To date it appears that no progress has been made in this key area. Recent measures to overcome the critical manpower shortage in the Afghan army -- including the toughest draft decree yet issued, indiscriminate arrests and beatings of those resisting conscription, and incentive pay scales for recruits almost equal to sub-cabinet salaries--have been fruitless. As a consequence, press gangs have returned to the streets of Kabul and provincial cities, and young men have been forcibly conscripted in house-to-house searches. The futility of these various measures was demonstrated during the summer fighting when large-scale defections, surrenders, and desertions by Afghan soldiers led to a net loss of military personnel.

The failure of the Soviets to break the resistance by military means, and the self-evident fact that the Soviet aggressors and their Afghan proxies are rejected by the Afghan people, have not caused the Soviets to relent in their desire ultimately to subjugate the country. Instead, they show every sign of pursuing a long-term strategy, looking on the one hand to the gradual wearing down of the resistance through attrition, and on the other hand to the military, economic, and social integration of Afghanistan into the Soviet sphere.

The Soviets have already taken significant steps in this direction. They have consolidated their military, transport, and communications infrastructure, including the expansion of existing air fields and the completion of the bridge across the Amu Darya River. They have tightened their grip on the strategic Wakhan corridor which rests on Pakistan's northernmost border and links Afghanistan with China, and they have tied Afghanistan's economy tightly to those of the Soviet Bloc through a proliferation of economic and trade agreements.

Perhaps most significant is the Soviet effort to reshape Afghan culture and to replace the decimated intellectual and middle classes with a new elite trained in the Soviet mold. Thousands of Afghans, including even children between the ages of six and nine, are being trained in the Soviet Union and other bloc countries, while the Afghan educational system itself is being restructured along Soviet lines. The Sovietization of Kabul University is made evident by the presence of Soviet advisers at all levels of administration and instruction and in the preference given to party activists in admissions. The curriculum of Afghanistan's primary education system has been redrawn to promote indoctrination in Marxist-Leninist ideology and to prepare young Afghans for further study in the Soviet Union.

It is in light of these policies -- and the continuing, escalating, savage Soviet military involvement -- that we must view Moscow's repeated claim that the Great Saur Revolution of April 1978 is "irreversible." But what, one may legitimately ask, gives the Soviet Union the right to insist that the violent overthrow of a nonaligned government constitutes an "irreversible" revolution? According to what tenet of international law, on the basis of which article of the United Nations Charter, do they base their position? One would think that it is the Afghan people, and only the Afghan people, who have the right to determine whether the events of 1978 are or are not "irreversible."

In fact, the Afghan people made their decision -- long ago. They rejected a revolution whose chief accomplishment before the Soviet invasion was the arrest, torture, and execution of tens of thousands of Moslem clerics, teachers, civil servants, doctors and engineers. They rejected a revolution whose cruelty and sadistic violence is best symbolized by the mass burial pits outside Pol-e Charkhi prison and the massacre at Kerala. They rejected a revolution which systematically assaulted Islam and Afghan nationhood and turned their proud country over to its predatory northern neighbor.

They expressed this rejection in the form of a spontaneous, countrywide resistance movement. By invading Afghanistan in order to crush this resistance and maintain in power a hated, Marxist regime, Moscow took a momentous step which signaled the expanding scope of its political and territorial ambitions. In effect, for the first time it was claiming the right to apply the Brezhnev Doctrine to a previously nonaligned, Third World Country.

The world has not permitted this act of expansion and aggression to go unchallenged. It has rejected the claim advanced by Soviet propaganda that it is providing "fraternal assistance" to Afghanistan with its "limited military contingent." These words ominously echo assurances which were given to Afghanistan itself sixty years ago when it protested the entry of Soviet troops into two of its neighbors, the independent Moslem states of Khiva and Bokhara. Let me quote from a letter which the Soviet Ambassador in Kabul sent to the Afghan Ministry of Foreign Affairs on February 20, 1922:

"Concerning the question of the independent status of Khiva and Bokhara, this has been provided for in the treaty agreed to and signed by the two governments of Russia and Afghanistan. The Government which I represent has always recognized and respected the independence of the two Governments of Khiva and Bokhara. The presence of a limited contingent of troops belonging to my Government is due to temporary requirements expressed and made known to us by the Bokharan Government. This arrangement has been agreed to with the provision that whenever the Bokharan Government so requests, not a single Russian soldier will remain on Bokharan soil. The extension of our friendly assistance in no way constitutes an interference against the independence of the sovereign State of Bokhara."

Today, sixty years later, the Soviet Union provides the same justification and the same assurances with respect to its invasion of

Afghanistan. It is useful, therefore, to reflect upon the ultimate fate of Khiva and Bokhara. Two years after the Soviet Ambassador gave his assurances to the Government of Afghanistan, the Soviet Union annexed Khiva and Bokhara. Their languages, Turkish and Persian, were abolished and replaced by pseudo-languages fabricated by Soviet linguists. These languages, Uzbek and Tadzhik, were mere dialects of Turkish and Persian, but were transcribed into Latin and later Cyrillic script. Mosques were closed or changed into museums and Koranic education was abolished. The surviving members of the local factions the Soviets had supported with their invasion were executed on charges of "bourgeois nationalist deviationism" and replaced by young bureaucrats trained in new Soviet schools.

Is history repeating itself today in the case of Afghanistan? If we are to judge from Soviet actions to date, it is hard not to conclude that they intend that history shall repeat itself, if not through the formal annexation of Afghanistan, then through its de facto absorption into the Soviet empire. And if this is allowed to happen, can anyone be reasonably assured that this will be the end of the process, that there are not future Khivas and Bokharas and Afghanistans that await a similar fate?

It is not, therefore, simply moral considerations and human solidarity that link us to the fate of the Afghan people. At stake in their struggle is respect for the principles of the United Nations Charter, the principles of the non-use of force, respect for the territorial integrity, national independence, and political sovereignty of states. Without this respect, world politics would succumb to anarchy and domination by the most ruthless, expansionist predator.

We cannot -- we must not -- permit this to happen.

The Soviet leaders undoubtedly believed when they launched their invasion of Afghanistan that they could deal with the international reaction by waiting patiently for the world's outrage to subside. The General Assembly can take great credit for frustrating this strategy. Passage of time has not served the aggressor. Indeed, the adoption of resolutions on Afghanistan by increasingly large majorities over the last three years shows that the world's outrage is growing.

We now have an opportunity to reaffirm once again our commitment to the liberation of Afghanistan. In so doing, we can help remind those in the Kremlin who ordered the Soviet invasion that their strategy has failed. We cannot afford, either as individual states with our own security concerns, or as a world organization dedicated to maintaining world peace, for the Soviet leaders to have any doubts on this score.

The resolution before us today offers an honorable course for ending the Afghanistan crisis. Its objective is a peaceful, negotiated settlement leading to the withdrawal of Soviet forces, the restoration of Afghan self-determination, independence, and nonalignment, and the return of the refugees to their homeland. By adopting this resolution, the United Nations General Assembly will be impressing on the Soviets the necessity to negotiate an end to their misadventure. Hopefully, this will speed the day when real negotiations on a settlement can begin.

In this context, the United States wishes to express its appreciation to Secretary General Perez de Cuellar for his effort to probe the opportunities for a settlement which would implement the General Assembly resolutions. We support these efforts and urge the Soviets to cooperate with them. We also recognize, as the Secretary General said in his report

to the General Assembly this year, that "time is of the essence." If the Soviets truly desire to negotiate, they must come forward quickly or the rest of the world will be forced to conclude that they have no serious interest in reaching a settlement.

The alternative to a negotiated settlement is a continuation of the conflict, with far-reaching and long-lasting consequences for world peace. The Afghan people, unbowed and unbroken despite repeated and relentless hammer blows, have shown that they will not submit to aggression -- not now and not ever. They have proved themselves to be a strong, proud, heroic people. With our support and solidarity, they shall also once again become a sovereign and independent people, permitted, as President Harry Truman once said, to work out their own destiny in their own way. This is all that they seek. It is all that we, the member States of the United Nations, seek for them.



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Press Release USUN 175-(82)
December 9, 1982

STATEMENT BY

THE HONORABLE GORDON C. LUCE

UNITED STATES REPRESENTATIVE

TO THE 37th SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY

IN PLENARY

ON ITEM 33

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

DECEMBER 9, 1982

MR. PRESIDENT,

IN OUR STATEMENT DURING THE DEBATE ON THIS AGENDA ITEM, WE REITERATED OUR PROFOUND AND LONGSTANDING OPPOSITION TO APARTHEID. WE ALSO EXPLAINED WHY WE BELIEVE OUR POLICY OF CONSTRUCTIVE ENGAGEMENT IS MORE LIKELY TO BRING ABOUT POSITIVE CHANGES IN SOUTH AFRICA THAN IS THE POLICY OF ALL-OUT CONFRONTATION, PUNISHMENT, AND ISOLATION OF SOUTH AFRICA WHICH IS THE PHILOSOPHICAL BASIS OF THESE RESOLUTIONS. THUS, WHILE OUR OBJECTIVE -- AN END TO RACISM IN SOUTH AFRICA -- IS NOT FUNDAMENTALLY DIFFERENT FROM THE OBJECTIVE THE RESOLUTIONS SEEK TO PROMOTE, THE MEANS BY WHICH WE THINK THIS OBJECTIVE CAN BEST BE ACHIEVED ARE SO PROFOUNDLY DIFFERENT FROM THOSE THE RESOLUTIONS ADVOCATE, THAT WE ARE OBLIGED TO VOTE AGAINST ALL OF THEM EXCEPT A/37/L.27, "UNITED NATIONS TRUST FUND FOR SOUTH AFRICA."

BEYOND OUR FUNDAMENTAL DIFFERENCE IN APPROACH, THERE ARE MANY SPECIFIC ELEMENTS IN THE RESOLUTIONS WHICH WE FIND UNACCEPTABLE. AT THIS TIME, I WANT TO ADDRESS ONLY A FEW OF THEM:

-- THE AFRICAN NATIONAL CONGRESS IS COMMENDED FOR INTENSIFYING ARMED STRUGGLE AGAINST THE SOUTH AFRICAN GOVERNMENT. MOREOVER, NOWHERE IN

THE RESOLUTIONS DO WE FIND ANY LANGUAGE URGING RECONCILIATION, NEGOTIATIONS, MUTUAL UNDERSTANDING, AND THE LIKE. IT IS A SAD COMMENTARY ON THE ATTITUDES WITHIN THIS BODY WHEN RESOLUTIONS URGE WAR AND FORGET PEACE.

HOW CAN WE IGNORE, MR. PRESIDENT, THE FIRST STATEMENT IN ARTICLE I, CHAPTER I, OF THE UNITED NATIONS CHARTER, WHICH SAYS THAT THE VERY FIRST PURPOSE OF THIS ORGANIZATION IS:

"TO MAINTAIN INTERNATIONAL PEACE AND SECURITY, AND TO THAT END...TO BRING ABOUT BY PEACEFUL MEANS (I REPEAT, BY PEACEFUL MEANS), AND IN CONFORMITY WITH THE PRINCIPLES OF JUSTICE AND INTERNATIONAL LAW, ADJUSTMENT OR SETTLEMENT OF INTERNATIONAL DISPUTES OR SITUATIONS WHICH MIGHT LEAD TO A BREACH OF THE PEACE."

THE "ARMED STRUGGLE" WHICH THESE RESOLUTIONS ENDORSE IS BY DEFINITION NOT A PEACEFUL MEANS OF SOLVING WHAT WE ALL ACKNOWLEDGE IS A MORALLY REPUGNANT AND DANGEROUS SITUATION. THESE RESOLUTIONS, THEREFORE, ARE DIRECTLY CONTRARY TO THE UN CHARTER AND TO THE MOST FUNDAMENTAL PRINCIPLE ON WHICH IT IS BASED.

-- THE UNITED STATES IS SPECIFICALLY DENOUNCED, IN PREAMBULAR PARAGRAPH 21 OF RESOLUTION A/37/L.17, ENTITLED "SITUATION IN SOUTH AFRICA," FOR PROVIDING "COMFORT AND ENCOURAGEMENT TO THE RACIST REGIME OF SOUTH AFRICA." THIS IS A DELIBERATE DISTORTION OF OUR POLICY, IMPLYING THAT MY GOVERNMENT SUPPORTS RACISM AND RACISTS. IT DOES NOT; AND WE UTTERLY REJECT SUCH ALLEGATIONS. WE THEREFORE CALL FOR A SEPARATE VOTE ON THIS PARAGRAPH.

-- LIKEWISE, IN OPERATIVE PARAGRAPH THREE OF THE SAME RESOLUTION, "MAJOR WESTERN POWERS" ARE ACCUSED OF ENCOURAGING SOUTH AFRICAN-AGGRESSION AGAINST ITS NEIGHBORS. THIS IS ANOTHER SLANDER. THE UNITED STATES HAS IN NO WAY SUPPORTED SOUTH AFRICAN AGGRESSION AGAINST ANYONE. QUITE THE CONTRARY, IN FACT, WE WERE THE FIRST MAJOR COUNTRY TO IMPOSE AN ARMS EMBARGO AGAINST SOUTH AFRICA, IN 1962; AND WE HAVE BEEN AMONG THE MOST STRINGENT IN ENFORCEMENT OF OUR ARMS EMBARGO. AS FOR ECONOMIC AND CULTURAL SANCTIONS, THERE IS NO REASON WHATSOEVER TO SUPPOSE THEY WOULD HAVE ANY PRACTICAL EFFECT ON SOUTH AFRICA'S RELATIONS WITH ITS NEIGHBORS, EXCEPT PERHAPS TO HEIGHTEN TENSIONS AND MAKE ARMED CONFLICT MORE LIKELY.

-- IN THE RESOLUTION ON "MILITARY AND NUCLEAR COLLABORATION WITH SOUTH AFRICA," THE UNITED STATES, ISRAEL, AND OTHER "WESTERN COUNTRIES" ARE DENOUNCED FOR ASSISTING SOUTH AFRICA "IN ITS NUCLEAR PLANS." THIS ALSO IS SIMPLY NOT TRUE. THE U.S. IS COMMITTED TO A NUCLEAR POLICY INTENDED TO PREVENT THE DEVELOPMENT OR ACQUISITION OF NUCLEAR EXPLOSIVE DEVICES BY ANY NON-NUCLEAR-WEAPON STATE. UNDER UNITED STATES LAW, NO NUCLEAR MATERIALS, EQUIPMENT, OR SENSITIVE NUCLEAR TECHNOLOGY MAY BE EXPORTED TO ANY NON-NUCLEAR-WEAPON STATE UNLESS ALL ITS NUCLEAR FACILITIES ARE COVERED BY IAEA SAFEGUARDS. MOREOVER, SOUTH AFRICA IS NOT A PARTY TO THE NPT. WE HAVE LONG INSISTED THAT NPT ADHERENCE IS ALSO A PRECONDITION FOR SUPPLY OF U.S. NUCLEAR FUEL FOR SOUTH AFRICA'S REACTORS. AS A PRACTICAL MATTER, NO UNITED STATES LICENSES FOR EXPORT OF NUCLEAR MATERIALS OR EQUIPMENT TO SOUTH AFRICA HAVE BEEN ISSUED BY THE U.S. SINCE 1975. WE ARE ACTIVELY ENGAGED IN A DIALOGUE WITH SOUTH AFRICA DESIGNED TO FURTHER THE FOREGOING NON-PROLIFERATION OBJECTIVES IN THAT COUNTRY, AS ELSEWHERE AROUND THE WORLD.

-- THE UNITED STATES IS ATTACKED FOR CONTINUING AND INCREASING WHAT IS CALLED "ECONOMIC COLLABORATION" WITH SOUTH AFRICA. IT IS NOWHERE EVEN NOTED, HOWEVER, THAT OVER 40 AFRICAN COUNTRIES CARRY ON ACTIVE TRADE WITH SOUTH AFRICA, IN MANY CASES IN VERY SUBSTANTIAL AMOUNTS. IN 1980, SOUTH AFRICAN EXPORTS TO THE REST OF AFRICA GREW BY 50% OVER 1979, TO MORE THAN ONE BILLION RAND, AND THEY REMAINED OVER THE BILLION RAND LEVEL IN 1981. SOUTH AFRICAN IMPORTS FROM THE REST OF AFRICA INCREASED BY 10.1% IN 1980 AND ANOTHER 10.3% IN 1981. THERE IS ALSO ACTIVE TRADE BETWEEN SOUTH AFRICA AND COUNTRIES OF COMECON -- THE SOVIET AND EAST EUROPEAN ECONOMIC BLOC -- WITH SOUTH AFRICA IMPORTING \$51 MILLION WORTH OF GOODS FROM COMECON COUNTRIES IN 1981, AS COMPARED TO \$38 MILLION IN 1980. REGRETTABLY, THIS HYPOCRISY -- CONDEMNING THE UNITED STATES FOR TRADING WITH SOUTH AFRICA WHILE CONTINUING TO DO SO ONESELF -- IS NOT LIMITED TO AFRICAN AND COMMUNIST BLOC COUNTRIES. FOR EXAMPLE, IN THIS YEAR'S GENERAL DEBATE, THE FOREIGN MINISTER OF SWEDEN CALLED FOR THE IMPOSITION OF "COMPREHENSIVE MANDATORY SANCTIONS AGAINST SOUTH AFRICA." YET, TRADE

FIGURES FOR THE FIRST HALF OF 1981 REVEAL THAT EXPORTS TO SOUTH AFRICA CONTINUE TO RISE FASTER THAN TO ANY OTHER COUNTRY IN SWEDEN'S INTERNATIONAL TRADE, AND THAT SOUTH AFRICA RANKS AS SWEDEN'S 23RD BIGGEST CUSTOMER, UP FROM 35TH IN 1978. MOREOVER, THE SOUTH AFRICAN GOVERNMENT'S FOREIGN TRADE ORGANIZATION LISTS SWEDEN AS ONE OF THE COUNTRY'S 10 MOST IMPORTANT SUPPLIERS.

-- THE IMF IS CONDEMNED FOR MAKING A LOAN TO SOUTH AFRICA, AND THE UNIVERSAL POSTAL UNION IS APPLAUDED FOR EXPELLING IT. THIS EFFORT TO TURN THE SPECIALIZED AGENCIES INTO POLITICAL FOOTBALLS CAN ONLY SERVE TO UNDERMINE THEIR MISSIONS OF REAL SERVICE TO ALL COUNTRIES AND PEOPLES. INDEED, TO EXPEL A COUNTRY FROM THE UNIVERSAL POSTAL UNION, AND I STRESS UNIVERSAL MAKES A MOCKERY OF THE ORGANIZATION'S VERY NAME AND PURPOSE.

-- EXPANDED ASSISTANCE FOR SOUTH AFRICAN NATIONAL LIBERATION MOVEMENTS FROM UN AGENCIES IS URGED, WHILE THE LEGITIMACY OF THESE MOVEMENTS' ARMED STRUGGLE IS REAFFIRMED. ONCE

AGAIN, THIS UNDERMINES ONE OF THE MOST FUNDAMENTAL PRINCIPLES OF THIS ORGANIZATION -- THE PEACEFUL SETTLEMENT OF CONFLICTS. WE HAVE REPEATEDLY STATED OUR OPPOSITION TO THE USE OF ANY UN FUNDS FOR THE SUPPORT OF SO-CALLED NATIONAL LIBERATION MOVEMENTS, MOST ESPECIALLY THOSE ENGAGED IN ARMED STRUGGLE. IN THIS CONNECTION, IT SHOULD BE NOTED THAT THE U.S. CONGRESS HAS PASSED LEGISLATION THIS YEAR WHICH FORBIDS ANY FUNDS PROVIDED FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS FROM BEING MADE AVAILABLE FOR THE U.S. PROPORTIONATE SHARE OF ANY PROGRAMS FOR THE PLO OR SWAPO. THIS CLEARLY SIGNALS THAT OUR OPPOSITION TO UN ASSISTANCE TO NATIONAL LIBERATION MOVEMENTS IS NO LONGER MERELY RHETORICAL. IN THE CASE OF THE PLO AND SWAPO, WE HAVE ALREADY BEGUN TO TAKE ACTION TO WITHHOLD OUR SHARE OF FUNDS FROM UN PROGRAMS ASSISTING THEM. IF UN AID TO ANC AND PAC CONTINUES, THE U.S. MAY WELL FIND IT NECESSARY TO IMPLEMENT SIMILAR MEASURES.

THESE ARE ONLY SOME OF THE ELEMENTS IN THE APARTHEID RESOLUTIONS WHICH WE FIND OBJECTIONABLE, MR. PRESIDENT, AND I HOPE OUR DISCUSSION OF THEM MAKES CLEAR TO THIS ASSEMBLY

WHY WE ARE VOTING "NO." MOREOVER, WE FIND IT REGRETABLE THAT ON A MATTER OF SUCH WIDESPREAD CONCERN, THE SPONSORS OF THE RESOLUTIONS DID NOT SEE FIT TO HOLD ADVANCE CONSULTATIONS ON THEM OUTSIDE THEIR OWN GROUP, NOR TO MAKE ANY REAL EFFORT TO BRING ABOUT THE WIDEST POSSIBLE CONSENSUS BEHIND THESE RESOLUTIONS. THERE IS, AFTER ALL, A VERY BROAD INTERNATIONAL CONSENSUS AGAINST APARTHEID, WHICH WE SHARE; AND IT SHOULD BE POSSIBLE TO PASS ANTI-APARTHEID RESOLUTIONS BY CONSENSUS.

WITH REGARD TO THE RESOLUTION ENTITLED "UNITED NATIONS TRUST FUND FOR SOUTH AFRICA," MY DELEGATION IS PLEASED TO JOIN CONSENSUS IN FAVOR OF IT. OUR SUPPORT, MOREOVER, IS MORE THAN RHETORICAL. WE HAVE GIVEN \$400,000 ANNUALLY TO THIS FUND. A RELATED EXAMPLE OF CONCRETE SUPPORT FOR SOUTH AFRICAN BLACKS IS OUR \$1 MILLION ANNUAL CONTRIBUTION TO THE UN EDUCATION AND TRAINING PROGRAM FOR SOUTH AFRICA. ON A BILATERAL BASIS, WE HAVE ESTABLISHED A PROGRAM WHICH WILL IN 1982 SPEND \$4 MILLION TO BRING 117 BLACK SOUTH AFRICANS, WHO WOULD OTHERWISE BE DISADVANTAGED BY THE APARTHEID EDUCATION SYSTEM, TO THE UNITED STATES FOR UNIVERSITY TRAINING. A SIMILAR EFFORT IS PLANNED FOR 1983. ALSO IN 1983, \$2.3 MILLION HAS BEEN PLANNED TO ASSIST SOUTH AFRICAN BLACKS IN SUCH FIELDS AS SMALL BUSINESS MANAGEMENT TRAINING.

IN CLOSING, MR. PRESIDENT, I WANT TO EMPHASIZE AGAIN THAT OUR NEGATIVE VOTE ON NINE OF THESE 10 RESOLUTIONS IN NO WAY DIMINISHES OUR COMMITMENT TO CONTINUE WORKING, IN A PRACTICAL AND EFFECTIVE WAY, FOR THE ELIMINATION OF APARTHEID AND THE ESTABLISHMENT OF RACIAL JUSTICE IN SOUTH AFRICA.

Part 2

Human Rights Affairs



UNITED STATES MISSION TO THE UNITED NATIONS

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Press Release USUN-76 (82)
October 8, 1982

STATEMENT
BY
CARL GERSHMAN
UNITED STATES REPRESENTATIVE IN COMMITTEE III
ON ITEM 75, 76, and 80,
RACISM AND RACIAL DISCRIMINATION

OCTOBER 8, 1982

Mr. Chairman, since this is the first statement by a representative of the United States in the Third Committee during this session of the General Assembly, I would like to begin by congratulating you on your election as Chairman of this Committee. The United States appreciates the important contribution that your country, Brazil, and that you personally have made the United Nations. In 1947, in his concluding remarks to the 2nd General Assembly, the Brazilian President of the Assembly Oswaldo Aranha said that "It is our duty not only to do away with all causes of war by all the means at our disposal, but also to lay the economic, political and social bases for peace." These words, Mr. Chairman, surely reflect your own deeply held convictions. We look forward to participating in the work of the Third Committee under your leadership and wish to assure you of our fullest cooperation.

I would like to address myself today to agenda item 75, 76 and 80 dealing with the issues of racism and racial discrimination. These issues have a special and profound meaning for all Americans because they bear upon one of the most important questions in the history of my country -- the question of race relations and the historic struggle of the black minority for full racial equality.

A civil war -- the bloodiest war in the history of the United States -- was fought over this question. Over this same question there emerged a century later the greatest reform movement in American history -- a movement that achieved the peaceful transformation of race relations in the

United States and had a decisive and lasting impact upon American politics and culture.

In a very deep sense, the identity of all Americans, even those who are recent immigrants to our shores, is intimately bound up with the historic and monumental experience of fashioning a multi-racial, egalitarian society in the New World.

Nearly four decades ago, the distinguished Swedish sociologist Gunnar Myrdal published An American Dilemma, a definitive study of race relations in the United States that continues to be relevant today, despite all the changes that have occurred in the intervening years. The "dilemma" to which Myrdal referred consisted of the conflict between the "American Creed" of liberty and justice for all and a social reality which, in the case of the Black minority, fell far short of that ideal.

This dilemma was both agonizing and pregnant with creative possibilities. The American Creed was not a hypocritical ideology imposed by the state (something all too common in the contemporary world) or an empty set of platitudes, but a living system of general ideals passionately espoused by all Americans, regardless of race. Ralph Bunche, a former Undersecretary General of the United Nations who was awarded the Nobel Peace Prize in 1950, once summed up the reality of the American Creed in the following way:

Every man in the street, white, black, red or yellow, knows that this is "the land of the free," the "land of opportunity," the "cradle of liberty," the "home of democracy," that the American flag symbolizes the "equality of all men" and guarantees to us all "protection of life, liberty and property," freedom of speech, of religion and racial tolerance.

The faith of American Blacks in this Creed, according to Myrdal, was not simply a means of "pleading their unfulfilled rights." Like whites, they, too, believed in this Creed -- believed, in fact, that it was the ruling ideal for America. Their strategy for achieving equality flowed from this belief. This strategy, according to Myrdal, was "to play on the conflicting values held in the white majority group" and in so doing, "to identify (their) cause with broader issues in American politics and social life and with moral principles held dear by the white Americans."

These words, written in 1943, correctly anticipated the strategy which the Civil Rights Movement followed to such extraordinary effect in the years ahead. There is a tendency of some today to minimize the enormity of the changes introduced by the Civil Rights Movement. This is perhaps inevitable. Gains, once achieved, are quickly taken for granted. Problems solved weigh less heavily on the mind than problems unsolved. Yet no reasonable observer can fail to note the remarkable progress made over the last quarter of a century in bringing the American reality more closely into conformity with the American Creed. Such progress includes:

-- The passage of the historic Civil Rights Acts of 1964 and 1965, which dismantled the legal foundation of racial discrimination in the American South;

-- The enfranchisement of all Blacks, which not only increased Black electoral power but significantly altered the political landscape of the United States;

-- The expansion of educational opportunities for Blacks, with the result that the number of Blacks attending college more than quadrupled in the decade after 1965, from 274,000 to 1.1 million;

-- The expansion of employment opportunities for Blacks, especially in such highly professionalized fields as business, engineering, chemistry, and computer science.

The extent of these changes was illustrated just last week when the University of Mississippi observed the 20th anniversary of the enrollment of James Meredith, the first black to attend the school. At the time, his enrollment touched off disturbances that left two people dead, 100 injured, and brought 30,000 National Guardsmen to the state campus. Today, this battle is a fading memory. Almost 1,000 blacks attend the University, more than the total number of Black alumni. The grandson of the Governor who fought to keep Meredith out of the University of Mississippi now coaches a Black girls softball team at the college.

Such changes do not alter the fact that many problems remain unresolved. These are complex problems involving, above all, the right to quality education for all those who seek it, the right to housing restricted only by one's choice and means, and the right to employment for the most disadvantaged. They require continued attention. Such socioeconomic problems illustrate the hard reality -- which

has its analogue in the experiences of many Third World countries after the achievement of independence from colonialist rule -- that social and economic development does not automatically or quickly follow the attainment of political changes. The process of evolution is inevitably gradual. Yet such evolutionary change is infinitely preferable to violent schemes which have the affect of reversing progress, eliminating human freedom, and increasing human suffering.

The fact that America is a free and open society offers the best prospect for the continuation of peaceful change. In closed systems, harsh repression and rigid uniformity lead to social and economic stagnation and the accumulation of resentment and frustration that is fraught with danger to the entire society. Freedom, on the other hand, encourages innovation, adaptation to change, the creative search for solutions, and the amelioration of conflicts.

As the experiences of my own country should make clear, the most meaningful forms of change flow from an inner necessity of society to change and to adapt to new conditions. In our own experience the decisive factor was the existence of a system of cherished ideals, a secular creed that was the "cement", to borrow Myrdal's metaphor, in the structure of a great and disparate nation. Such a creed is a very different thing from international declarations, resolutions, and other official pronouncements that frequently have little impact upon the real circumstances of people's lives.

The principle of opposition to racial discrimination is

affirmed by all countries in the United Nations. But such avowals do not guarantee respect for this principle in actual practice. In far too many cases, in fact, the language of human rights is used by states not to defend freedom or to oppose discrimination but to conceal the abuse of these principles. Declarations, therefore, are not enough and can be counterproductive if they serve as a cover for real abuses. The best protection for individuals as well as for disadvantaged racial or ethnic groups is the existence of institutions and procedures which translate rights into realities.

In many countries today, such institutions and procedures exist in only a limited and extremely tenuous forms. In totalitarian states, they do not exist at all. While it is neither realistic nor constructive to insist that such societies transform themselves overnight into perfect democracies, it is nevertheless essential to encourage the possibilities for evolution inherent in each situation. A strategy to defend human rights and to oppose discrimination against racial or ethnic groups must therefore focus on supporting wherever possible institutional change toward greater democracy and, conversely, on identifying and opposing unchanging institutions and ideologies that persistently deny fundamental human rights.

Certainly it is no simple task to make such distinctions between situations where institutional change is possible and should be encouraged and those where change appears to be

completely blocked. Within the United Nations, the conventional wisdom holds that the most extreme case of an unchanging institution that will succumb only to revolutionary violence is the apartheid system in South Africa. There is growing evidence, however, to suggest that this judgment does not take into account significant possibilities for non-violent change in South Africa and could, in fact, make such change more, rather than less, difficult to achieve.

A review of the situation is therefore in order to determine, first, the nature of the political situation in South Africa today and, second, the character of the measures proposed by the international community to promote movement away from apartheid. The clearest evidence of change in South Africa appears in the fields of trade unionism, employment, and education and training. The question is whether that change which is taking place in these areas will definitively lead to resolution of the issue of national political rights for all South Africans irrespective of race and is, therefore, deserving of international recognition and support. Clearly, this is the criterion that must be used to judge the direction and validity of the political process in South Africa today.

Nowhere has change been more dramatic than in the trade union field. The South African Government has (a) deleted all references to race and sex in its labour laws, (b) repealed the prohibition on mixed labor unions, and (c) removed all discriminatory legislation against black labor unions, thereby permitting the establishment of black unions under the same criteria as those applicable to unions established by whites. The steps taken by the South African

Government have resulted in an increase in the number of black African trade union members from 16,000 in 1969 to over 300,000 in 1981. The three main trade union federations in South Africa as well as the numerous independent unions have shown remarkable growth over the past twenty-four months reflecting the change in legislation. The federations and unions are winning notable salary increases for South African workers as well as benefits both on and off the work site. The growth of the trade union movement and the well-being of the workforce will, as every member here present can confirm from his own national experience, have a meaningful and progressive impact on the political structure in South Africa.

How meaningful these reforms will be clearly depends on how they are carried out. While the trade union movement has progressed and while this progress is internationally recognized as such, there remains the fact that of the 768 people detained in 1979/80, 21 were trade unionists and workers. However, in 1981 more than 300 trade unionists and workers were detained out of a total of 772. This type of pressure against unionists has continued in 1982.

Clearly, there exist two contrary trends in the trade union area and both must be weighed in any serious appraisal of the situation in South Africa today.

Partly as a result of trade union gains, partly as a result of the increase in the price of gold in 1979-80, and partly as a natural result of the normal process of growth in South Africa, the wage scale difference between blacks and

whites has become less unequal. While the differences remain startling and clearly the result of the functioning of apartheid in the economy, trends have been moving in a positive direction.

Between 1970 and 1980, the average annual earnings of black wage-earners quadrupled, rising by more than 5 percent a year in real terms. The real earnings of white workers declined slightly during the same period. According to a recent Rockefeller Foundation study, during this decade the ratio of white wages to black wages in manufacturing dropped from 6 to 1 to 4.3-to-1. In mining, the ratio dropped from 19.8-to 1 to 6.6-1. Black per capita income in South Africa is about \$1,200, well below that of whites but also well above the average for the rest of black Africa.

There have also been dramatic increases in government spending on education for blacks. Annual expenditures on black education have increased from \$83 million to \$400 million since 1974. Over the past five years, such spending has grown at an annual rate of 21 percent. While there remains a significant disparity between spending on blacks as opposed to whites, the trend is toward equalizing spending and equalizing educational opportunities regardless of race.

The progress that has been made must, of course, be weighed against the continued existence of that web of discriminatory laws and practices known as apartheid, a practice that is repugnant to American values. Yet clearly change as an organic process is underway in South Africa, even in the

political sphere where constitutional proposals have been introduced to replace the whites-only parliament by a tricameral system that would include representation for the Asian and Colored minorities. These proposals perpetuate a racial approach to national political enfranchisement and do not address the rights of the country's 20 million blacks. The question that remains to be answered is whether the change that has taken place is in the direction of establishing government by consent of the governed and whether the changes are acceptable to the people of South Africa irrespective of race.

The important question is how we can encourage the process of peaceful, democratic change in South Africa. The view that the only effective approach is increased international pressure and support for sanctions overlooks the internal factors that compel change and could, like a self-fulfilling prophesy, help bring about an Armageddon. As Samuel P. Huntington of Harvard's Center for International Relations has pointed out, "Reforms which appear to be granted under pressure" will strengthen the ultra-conservative parties against the government, "lead to more extreme demands from more groups, and provoke a counter-revolutionary backlash."

It is against this background that the United States has adopted a policy of positive support for the process of reform that is underway in South Africa. This policy of "constructive engagement" is intended to influence the situation in that country through dialogue with those both inside and outside

the South African Government who support moves away from apartheid to a more equitable political, economic and social system.

In addition to the active involvement of the United States in the negotiations that we expect will lead to independence for Namibia, new initiatives have been undertaken to assist black South Africans who are disadvantaged as a result of the apartheid educational system. The U.S. Congress has earmarked \$8 million for scholarships for black South Africans to study in the United States, and this year 117 students are enrolled in American universities. The United States is also actively exploring ways in which we can aid the process of educational change inside South Africa, while working outside the apartheid educational system.

The private sector in the United States has also played a positive role in fostering peaceful, evolutionary change away from apartheid. U.S. corporations have made a positive contribution to economic change by subscribing to the Sullivan Principles, a voluntary code of fair employment practices which calls, among other things, for equal pay for equal work, non-discrimination in the work place, and increased training and advancement opportunities for South Africa's disadvantaged majority. In addition, the American labor movement continues to provide vital assistance to the burgeoning black unions which constitute such an important force for democratization.

Once a process of reform is in motion, it gathers a momentum of its own and becomes virtually irreversible. We

can only hope that such a process is beginning to gather momentum in South Africa. Frederick Douglass, a runaway slave who became an adviser to Abraham Lincoln, a distinguished diplomat, and a great American leader, understood well the nature and the internal dynamic of reform and amelioration. "You may hurl a man so low beneath the level of his kind" he once wrote, "that he loses all just ideas of his natural position, but elevate him a little, and the clear conception of rights rises to life and power, and leads him onward."

Mr. Chairman, we are challenged to appreciate the meaning of this statement and its relevance to the complex realities in South Africa. Our failure to do so could have unfortunate consequences for the people of South Africa, not least for the blacks of that country. Whether it grows out of despair over the prospects for democratic change in South Africa or a desire to exploit the conflicts there for political advantage, an extreme course amounts to a repudiation of those inside that troubled country who are trying to find a middle ground between paralysis and confrontation. The opportunity exists for the exercise of reason and the application of democratic will. By seizing this opportunity, we will be able to enhance the prospects for peace within South Africa and, by so doing, contribute to the cause of peace in the region, and, indeed, throughout the world.



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PRESS RELEASE

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Press Release USUN 83-(82)
October 15, 1982

Statement by Carl Gershman, United States Representative to the
Third Committee of the 37th General Assembly of the United Nations
on Item 79, Self-Determination, October 15, 1982.

Mr. Chairman, I will be speaking today to agenda item 79 which is entitled "Importance of the universal realization of the rights of peoples to self-determination and of the speedy granting of independence to colonial countries and people for the effective guarantee and observance of human rights." In what now appears to be a customary practice in this Committee, this item is treated together with several other items dealing with the issues of racism and racial discrimination. This grouping together of items is not arbitrary but reflects the general and, by now, long-standing tendency in the United Nations to view the principle of self-determination as relevant chiefly, if not exclusively, to the process of decolonization and to issues that emerge in a racial context. By speaking separately to the issue of self-determination, my delegation wishes to emphasize its preference to address the issue in a broader context, a context that is suggested, in fact, by the use of the word "universal" in the title of the agenda item.

The issue of self-determination raises many complex questions which bear profoundly upon the nature of the international system and the norms governing relations among states. Who is the "self" to whom the "right of self-determination" attaches? What is the method by which self-determination is to be realized? Is independence the only acceptable outcome or is it just one of several outcomes that may be desirable or necessary depending on the particular circumstances? Is the "right" of self-determination absolute, or is it—as it surely must be—circumscribed by other factors, such as competing self-determination claims or other principles recognized in the Charter, including respect for the territorial integrity of states, the non-use of force, and the need to preserve international peace and security?

These are just a few of the very difficult questions raised by any attempt to apply the principle of self-determination in a comprehensive, universal fashion. But if there are no easy answers to these questions, it should nonetheless be possible to formulate the elements of a consistent approach to the issue. This by itself is important, since the approach followed within the United Nations in recent years has been highly politicized and selective, reflecting the priorities and biases of a particular period that has been called "the age of decolonization." As this period draws to a close, it becomes all the more necessary to subject the new assumptions to careful scrutiny in light of the purposes of the Charter and the requirements of genuine universality.

The principle of self-determination is mentioned only twice in the Charter, once in the first Article where the development of friendly relations among states based on respect for the principle is listed as one of the "purposes" of the United Nations; and again in Article 55 where the principle is noted in a preambular paragraph that lists several goals the organization "shall promote" in the spheres of economics, education, culture, and human rights. The principle is actually given more concrete meaning in the Chapters on Non-Self-Governing territories and the Trusteeship system where the term "Self-determination" is not even mentioned. Here the emphasis is placed on development toward "self-government," with independence being one of the possible outcomes of a process that has to take due account of "the freely expressed wishes of the peoples concerned."

Five points seem worth noting about the approach to self-determination suggested in the Charter. First, the essence of self-determination is seen to be method not result. While self-government is the ultimate goal, the critical issue is not the form it takes -- whether this be independence, free association, or integration into another state, the options spelled out in General Assembly Resolution 1541 -- but the method of reaching a decision. As the International Court of Justice noted in 1975 in the Western Sahara case, the vital principle involved is "the need to pay regard to the freely expressed will of peoples."

Second, self-determination is viewed as a gradual or evolutionary process. The purpose of the Trusteeship System, for example, is

to promote the "progressive development towards self-government or independence." The concept of "progressive development" is also noted with respect to the evolution of "free political institutions" in non-self-governing territories. Moreover, Resolution 1541, which is an attempt to interpret the Charter on these questions, stipulates that peoples choosing free association retain the freedom to modify their status, suggesting once again the evolutionary character of self-determination.

Third, self-determination is seen as a continual process, not one that is completed with the determination of international status. It cannot have been the intention of the Charter that a process determined according to "the freely expressed wishes of the peoples concerned" may properly give forth an outcome in which those wishes are disregarded or suppressed. The link established in Article 55 between self-determination and respect for human rights and fundamental freedoms -- a link that is also made in the title of the agenda item under consideration -- suggests that self-government is an internal as well as external goal; and that freedom from alien domination includes freedom from persecution and discrimination and the right to participate freely in the political process. From the standpoint of the individual or an ethnic minority, a continuing process of internal self-government, in accordance with the Universal Declaration of Human Rights, is the only guarantee of genuine self-determination.

Fourth, the principle of self-determination is clearly universal in scope, applying to all peoples and, indeed, to all individuals, without distinction as to race, sex, language, or religion. It

applies to relations among states where respect for the principle is understood to serve the purpose of developing "friendly relations among nations" and strengthening "universal peace," as well as to conditions within states where respect for the principle is seen to promote the general well-being of the population. Moreover, whereas the guarantees embodied in the principle apply to all, so does the corresponding duty to respect the principle as it applies to others.

Finally, self-determination is viewed as a relative not an absolute principle. It is one of a number of Charter principles that limit and reinforce each other. A world that had witnessed the dangerous misuse of the principle of self-determination by Nazi Germany over the Sudeten issue readily appreciated the necessity to treat the principle in a larger context and in relation to other principles of the Charter.

Over the past quarter of a century, the view of self-determination outlined here has been significantly, and in some respects, radically modified within the United Nations. Beginning with the Declaration on the Granting of Independence to Colonial Countries and Peoples (Resolution 1514) and in many subsequent resolutions of the General Assembly, a new view has taken hold which has far-reaching implications for the future of the Organization and of the international

system as a whole.

According to this new view, the essence of self-determination is not method but result -- specifically, independence. Such is the insistence of Resolution 1514 on this result, to the exclusion of any other options, that independence is demanded not just for trust and non-self-governing territories, but also for non-independent territories that are fully self-governing and may not wish a different status.

The identification of self-determination with independent statehood, and the treatment of this objective as an urgent necessity, indeed, as the summum bonum, has inevitably affected the methods used to bring it about as well as the timing of the process. The new approach was revolutionary, not evolutionary. Independence was to be achieved immediately and by whatever means necessary, even those that did not adequately take into account "the freely expressed wishes of the peoples concerned." Increasingly, this led to the acceptance of alternatives to elections and plebiscites, in particular to the recognition of "national liberation movements" as the true bearers of the right of self-determination and the sole legitimate -- though not democratically selected -- representative of the peoples concerned. Little serious consideration was given to the possibility that the use of terror as a method might actually frustrate the authentic and free expression of the people's will by fostering an environment of coercion. Commenting on an instance where the United Nations accepted and legitimated the claims of two armed movements in the absence of any free expression of the

people's will, one writer noted that "In the end political power was not determined by ballots...but by bullets."

Having defined self-determination as a result synonymous with independence and not as a method, it followed that the attainment of independence was itself sufficient to satisfy the right to self-determination. No continuing process of internal self-determination, meaning representative self-government, was considered necessary or even relevant to the issue. The new perspective, writes M. Pomerance in an incisive study published just last month, has considered that "the representativeness of the regime and the degree to which human rights are respected within the new States are not central to the issue of self-determination."

The rejection of self-determination as a continuing process had serious implications with respect to the problem of post-independence minorities in societies rent by ethnic cleavages. The equation of self-determination with independence meant that this right could not apply to distinct peoples in post-independent states without affirming the right of secession. In a report on self-determination prepared, ironically enough, for the Subcommission on Prevention of Discrimination and Protection of Minorities, Mr. Héctor Gros-Espiell states explicitly that "The right (of self-determination) does not apply to peoples already organized in the form of a State which are not under colonial and alien domination, since resolution 1514 (XV) and other United Nations instruments condemn any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country." Had the right of self-determination been more broadly defined

to cover respect for the human and cultural rights of the new minorities there would have been no need for a double standard according to which the right was granted to some "selves" and denied to others. As it was, the fulfillment of the right in one sense meant its negation in another, thereby sanctioning in the name of self-determination the subjection of some minorities to a new form of alien rule.

In fact, this was only one aspect of the new double standard introduced by the revised view of self-determination. Resolution 1514 had declared that "All peoples have the right to self-determination." In practice, however, only some peoples were deemed eligible claimants of that right: specifically, "peoples under colonial and alien domination," to quote once again from Mr. Gros-Espiell. This qualification was further qualified, in fact, by restricting the scope of "colonial and alien domination" to the empires of the Western colonial powers. The implicit double standard was noted in 1961 by Lord Home, who asked the General Assembly: "Is there to be one principle for Asia and Africa and another for Europe" One rule for the British Commonwealth and another for the Russian Empire? I thought if a principle was anything it was universal."

To be sure, the insistence on confining the bearers of the right to self-determination to "colonial peoples" served the political purpose of accelerating decolonization. But the process of politicization thus set in motion had considerable, and perhaps unseen costs involving the abandonment of universality and the distortion of basic Charter principles which, like self-determination itself, were twisted into conformity with the new political realities.

For example, in the Declaration on Friendly Relations (General Assembly Resolution 2625), the principle of territorial integrity and sovereign equality is affirmed, but only for states "conducting themselves in compliance with the principle of equal rights and self-determination of peoples." Similarly, General Assembly Resolution 2787 condemns "any attempt aimed at the partial or total disruption of the national unity and territorial integrity of a State" -- and here is the qualification -- "established in accordance with the right of self-determination of its people." Thus, in each instance essentially subjective political considerations are introduced to qualify the presumably universal principle of territorial integrity and sovereign equality of States. The crucial factor, as one writer has pointed out, is not the principle involved but "the specific identity of the claimants -- whose territorial integrity is pitted against whose self-determination."

To cite another example, the Declaration on Friendly Relations affirms the principle of non-intervention in the affairs of States. But it also extends the same principle of nonintervention to the affairs of peoples, proscribing "the use of force to deprive peoples of their national identity." Thus, the door is opened to intervention in the affairs of States which use force against "peoples," itself a highly politicized and selectively used word which, as we have seen, is frequently equated with organizations using violence in the pursuit of "national Liberation."

The result has been the steady erosion of Article 2(4) of the Charter, which enjoins all Members of the United Nations to refrain from the threat or use of force against the territorial integrity or political independence of any state. This article is the core of

the Charter. Indeed, it is the linchpin of our state system. Yet under the new doctrine, the non-use of force is treated as a relative principle, subordinate to the supreme norm of self-determination as it has been redefined. Favored "selves" are allowed to use force, but not their adversaries. For states deemed "colonial" or "racist," the use of force is prohibited, even in self-defense. But for "people or movements in conflict with such states, the General Assembly resolution defining aggression (Resolution 3314) affirms the right to use force and "to seek and receive support" in their "struggle."

There are undoubtedly many factors that account for the growing disregard for the rule of law in international affairs today. But no careful consideration of the problem can fail to note the pernicious consequences of a double standard which accords maximal rights with no obligations to some parties and maximal obligations and no rights to others. This is surely a prescription for international anarchy.

Nothing that has happened in the past quarter of a century, including the dismantling of the European empires, has rendered the principle of self-determination as set forth in the Charter less relevant to the fulfillment of the original purposes of the United Nations. On the contrary, as new issues and conflicts emerge, it becomes increasingly apparent that respect for self-determination as a universal and inherently democratic principle is an urgent requirement, essential both for the strengthening of world peace and the promotion of human freedom. The fact that the distortion and misuse of this principle has undermined these purposes merely accentuates the need to reverse this course and to renew the commitment to self-determination as a fundamental human aspiration.

PRESS RELEASE

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Press Release USUN 84-(82)
October 15, 1982

Statement by Carl Gershman, United States Representative to the Third Committee of the 37th General Assembly of the United Nations in Right of Reply to the Soviet bloc and other delegations, October 15, 1982.

Mr. Chairman, during the present debate, a number of countries have singled out the United States for criticism on one or another issue. There is nothing unusual about the charges or about the countries making them. What we have heard are the stale rhetoric and routine denunciations of totalitarian states which engage in the distortion of truth as a matter of course -- indeed, out of political necessity. States which oppress their own peoples and threaten other states must inevitably lie about the behavior of others, if only to conceal and divert attention from their own misdeeds.

To respond directly to the charges of Laos, Mongolia, Cuba, Vietnam, the Soviet Union and several other paragons on international virtue would merely dignify their lies by suggesting that we regard them with something less than complete contempt. We would not want to create this misimpression.

We would, however, like to comment on the statement made by the Soviet delegate because it offers an instructive and readily understandable illustration of the Orwellian inversion of the truth.

Earlier this week the Soviet delegate charged that the rights of the people of Puerto Rico continue to be "cruelly suppressed." This charge, of course, is an utter lie, a deliberate lie. The Puerto Rican people have repeatedly exercised their right of self-determination, a fact recognized by the General Assembly in 1953 when it removed Puerto Rico from the list of non-self-governing territories and reaffirmed most recently on September 24th in the plenary of this session of the Assembly. The Puerto Rican people have exercised their right of self-determination in two referenda conducted in

1952 and 1967 and in quadrennial general elections. These elections, the last held in 1980, provide a useful picture of the status preferences of the Puerto Rican people. The Commonwealth and statehood parties together polled over 94 percent of the vote, while the party favoring independence received less than 6 percent. In the 1967 referendum, the independence option received less than one percent of the vote. To insist upon independence for the Puerto Rican people when they have not insisted upon it themselves is, quite literally, to deny them the right to self-determination.

It is not surprising that the Soviet delegate would deny them this right since the Soviet Union has denied the same right to its own peoples and to the peoples of so many other countries throughout the world. I will not prolong this statement by noting each and every case where the Soviet Union had denied peoples the right to self-determination. I will mention just one case because it offers such a vivid and illuminating contrast to the case of Puerto Rico. I am referring to the denial of the right to self-determination of the Baltic peoples of Lithuania, Latvia, and Estonia.

These states, each of which was a full member of the League of Nations and had signed non-aggression treaties with Moscow, were forcibly integrated into the Soviet Union as a result of the infamous pact between Adolf Hitler and Josef Stalin which divided Eastern Europe into Nazi and Communist spheres of influence. It will be noted that Resolution 1541 on self-determination stipulates that the decision for integration "should be the result of the freely expressed wishes of the territories' peoples acting with full knowledge of the change in their status, their wishes having been expressed through informed and democratic processes, impartially conducted and based on universal adult suffrage." In the Baltic case, the Soviets followed a different course.

Following the annexation of the Baltics, the Soviets embarked on a policy of ruthless Sovietization which encountered universal opposition. Then, on a single "night of terror" -- June 14, 1941 -- the Soviets deported almost the entire Baltic intelligentsia to Siberia where most of them perished. When the Germans invaded the Soviet Union a week later, massive spontaneous uprisings occurred in all three Baltic states and a large part of their territory was liberated from the Soviets before it was subsequently occupied by the Nazis.

The Red Army eventually recaptured the Baltics, precipitating an exodus of some 200,000 people who feared the return of Soviet rule. The Soviets reconsolidated their control with killings, repression, and mass deportations. Between 1944 and 1949, some 600,000 Balts out of a population of just a little over four million were deported to Siberia. Guerrilla resistance to the Soviet occupation continued

until 1952, eight years after the re-entry of the Red Army.

Since then, the Soviets have pursued a conscious policy of cultural russification aimed at the denationalization of the Baltic states. In response to this policy, broadly based dissent movements have emerged demanding national, political, and religious rights. In Lithuania, where there is an active underground church and where 15 underground journals are published regularly, some 148,000 people -- one-tenth of the population -- recently submitted a protest petition to Moscow, a figure unprecedented in the totalitarian Soviet state. Typically, the Soviet response to these movements seeking the restoration of Baltic national rights has not been to allow self-determination but to subject dissidents to imprisonment, exile, or confinement in psychiatric institutions.

Mr. Chairman, in the Helsinki Declaration the Soviet Union pledged itself to respect the following provision:

"By virtue of the principle of equal rights and self-determination of peoples, all peoples always have the right, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social and cultural development."

The United States respects this principle. The world would be a far safer and much freer place if the Soviet Union did as well.



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Press Release USUN 125-(82)
November 15, 1982

Statement by Ambassador H. Eugene Douglas, United States Coordinator for Refugee Affairs, in the Third Committee, on Refugees, November 15, 1982

Mr. Chairman, I am aware that my delegation already has offered you its congratulations on your election. Since this is my first opportunity this year to address the Third Committee, I hope you will permit me to express my appreciation for your fair and capable manner of presiding.

As a representative of the host country, I am pleased to welcome again to New York His Excellency, Mr. Poul Hartling, the United Nations High Commissioner for Refugees. Mr. Hartling admirably carries out a difficult stewardship in a manner befitting his previous service as pastor, teacher, diplomat, and head of government.

Mr. Chairman, my Government is of the opinion that High Commissioner Hartling has amply demonstrated his abilities by guiding the UNHCR successfully through the worst refugee crises since the Second World War. With our common advice and assistance, he has set in motion actions by which the UNHCR had adjusted and is continuing to adjust to important changes in the world which affect refugees. The processes which the High Commissioner has initiated must not be interrupted. The United States strongly supports the nomination and re-election of Poul Hartling to another term as the High Commissioner.

On this occasion, we should also like to reaffirm our support for the Convention and Protocol definition of refugees and for the UNHCR's mandate. These have proven to be of enduring validity. In the face of the turbulent world refugee situation, we have been reminded that the UNHCR has a limited and specialized mandate. It is important that its goals remain clear and that the definition of refugee and who qualifies for assistance not become a subject of division and confusion. We must always bear in mind that while we deliberate in safety, it is the refugee who remains exposed in the field.

In reviewing the High Commissioner's report to the 37th General Assembly, I have noted several initiatives which are of particular importance to my Government, and which I would like to commend.

First, I am gratified at the importance the High Commissioner places on continued internationalization of refugee resettlement efforts. All of the major resettlement countries are prepared to continue to do their part, but the number of refugees throughout the world has reached such proportions that a relative few countries cannot continue to bear the burden alone. I hope that the High Commissioner will persist in his efforts to expand the list of countries which offer resettlement to refugees, and give favorable consideration to maintaining the level of support staff his office assigns to Southeast Asia, where the number of refugees in first asylum countries requiring resettlement is still quite large.

In relation to the unrelenting demands for asylum and in the spirit of internationalization, it is reassuring to note also the accession of ten more states to one or both of the United Nations' basic legal instruments on refugees -- the 1951 Convention and the 1967 Protocol. It is especially encouraging that, with the accession of Japan, China, and the Philippines for the first time, the East Asian region is well represented among the parties to these instruments.

For all Americans concerned with refugee matters, it is important that the High Commissioner will place special emphasis on the improvement of the administration and financial management of his organization. With resources available for refugees becoming more and more scarce, it is important that they be managed with the greatest possible efficiency. My Government, as many of you know, has adopted a course of budgetary austerity for domestic programs. It is now more important than ever that United Nations' agencies manage their operations efficiently if the American people are to maintain their level of support. It is vital that the various agencies within the United Nations' system involved with refugee matters improve their coordination and improve the efficiency of our joint efforts to assist refugees.

A third initiative of the High Commissioner deserving commendation is his effort to provide special programs for the handicapped during this, the International Year of the Handicapped. It is difficult enough to assist able-bodied refugees, but the handicapped, though small in number, are particularly vulnerable. We should also commend those countries which have offered resettlement in disproportionately large numbers to handicapped Southeast Asian refugees.

Fourth, I noted in the High Commissioner's report that special emphasis was placed on ending piracy attacks against refugees in Southeast Asian waters. The misery and human suffering resulting from these attacks cannot be underestimated. I visited first asylum camps in Southeast Asia many times this year and have been deeply saddened by the number of women and young girls who had been viciously assaulted by pirates. The victims of these attacks have been wounded -- perhaps not as visibly as if they had been shot or burned -- but deeply and brutally wounded nonetheless. Their pain is universally understood. We must do everything possible to eradicate this crime.

These initiatives -- aiding vulnerable refugees, showing care in managing resources, and giving emphasis to burden sharing -- are of especial noteworthiness in the High Commissioner's account. The most striking feature of this report, however, is its documentation that the number of refugees in the world today continues to grow, despite the mammoth resources we commit toward durable solutions.

No sooner does the international community generate aid and resettlement opportunities for refugees that currently exist, than new ones are created.

In relation to this high refugee population, the High Commissioner mentions his concern over the tightening up of criteria for refugee resettlement and asylum in countries throughout the world.

The reason for this is not so much a lessening of generosity or compassion as the fact that the flow of refugees has reached such proportions as to constitute mass movement of people from one part of the world to another. The dislocation of whole cultures and peoples are not easily handled by traditional solutions of resettlement or temporary asylum. It calls for something more fundamental, and that fundamental approach is the acknowledgement of the root causes of refugees and our determination to do something about them.

Unless we, as member states, look at this basic question at some time in our deliberations, our future efforts will always be doomed to frustration and inadequacy.

Today, let me name some of the more alarming developments in our world which impel people to become refugees.

-- The continued occupation and attempted subjugation of Afghanistan by the Soviet Union and the invasion of Cambodia by Vietnam are just two examples of current events, but these events alone have caused over three and one-half million people -- men, women, and children -- to flee along the bitter road to become refugees.

-- The use of biological and chemical weapons as indiscriminate and mass weapons of death against those Laotians, Cambodians, and Afghan peoples who dare resist the absorption and extinction of their traditional homelands by foreign troops. We clearly need improved attention to the diagnostic and health aspects of this problem.

My Government has thoroughly documented the use of these outlawed weapons, particularly that of the deadly mycotoxin, popularly called yellow rain, in Southeast Asia and Afghanistan. In Southeast Asia these chemical and biological weapons have killed thousands of the Hmong tribespeople and have driven many survivors from the mountainous highlands of Laos into Thailand. The greatest tragedy of all is that these attacks likely continue as we sit here today.

In Afghanistan, we know that the same weapons are being used. There, too, a fiercely independent tribal population which refuses to succumb to a conquering foreign power is the target: These findings are not

those of the United States Government alone, but have been verified by other governments as well. Evidence of the use of mycotoxins in Southeast Asia and Afghanistan has been substantiated by the Canadian Government in studies that have been released.

Another major cause of major refugee flows in the world is the deliberate expulsion of mass groups of people as an element of a country's aggressive foreign policy. The United States was the victim of just such an act in 1979, when Cuba expelled 125,000 persons. In another part of the world, the Socialist Republic of Vietnam also expelled large numbers of ethnic Chinese. We are beginning to see such actions, in other countries, who send out refugees because they are old or handicapped, or because the government for other reasons considers them burdensome.

Further contributing to the brutalization of refugees is the deliberate splintering of families in order to preserve the means of obtaining currency for foreign exchange. We have heard many stories from Vietnamese refugees that only part of the family was allowed to leave for this reason. Indeed, we believe that one of the major sources of hard currency for the Vietnamese economy comes from money sent by refugees abroad to their families still living in Vietnam.

The High Commissioner's report appropriately expressed a heightened concern for women and children refugees, but we seldom give this problem the attention that is due.

Women and children not only make up the vast majority of refugees in the world, but represent the generational strength of their peoples. The protracted dislocation suffered by refugees hits women and children the hardest. It often destroys the family structure, denies education for the young, and stifles the hopes of future generations among many developing societies. The potential for long-term harm to a people and its culture is especially apparent here, where years of lingering in refugee camps sap nations of the contribution of entire generations. A year may mean little in terms of public works projects, such as building bridges or dams, but it can be everything to a child -- it can determine his life and his future.

The High Commissioner has emphasized efforts to eradicate piracy against refugees in his report, but there are other problems for women refugees that need to be specifically addressed. Among the Afghan refugees in Pakistan, for example, there are many women widowed or separated from their husbands by the war, who find themselves the heads of families they are not able to support. My Government is especially concerned with the plight of these women in the traditional society of the Afghan refugee camps.

My Government hopes, therefore, that the High Commissioner will make a special effort to implement the mandate given him in the General Assembly resolution last year (A/36/12, Operative paragraph 8) on assistance to all women refugees. In this regard, I call upon the office of the High Commissioner to make a special and separate report annually on the problems of assistance and protection of women refugees, and that such a report would include recommendations addressed to the General Assembly.

Before I conclude my remarks, I would like to comment on the significance of large flows of refugees on developing countries.

The mass movement of people is a problem for the industrialized nations which try to resettle populations culturally distinct from theirs. But, it has the most severe impact on the developing countries.

The UNHCR tells us that the largest numbers of refugees in the world today may be found in Pakistan and Africa -- two areas with limited resources to devote to refugees.

Pakistan, which provides first asylum for nearly three million Afghan refugees, and Sudan and Somalia, which provide first asylum for hundreds of thousands of refugees from Ethiopia, have long traditions of hospitality and openness towards refugees. Yet the presence of large numbers of refugees in these countries not only severely strains their economies, but also puts great pressures on their populations as the presence of the refugees becomes prolonged. Refugees, therefore, cannot be ignored when we address the economic needs of developing nations. In this context, I urge the economic assistance granting offices with the United Nations' system to give high priority to developing countries which accept large numbers of refugees for first asylum and resettlement.

In reflecting on the work of the Committee, I would like to express the sense of bitter irony that many Americans -- myself included -- feel when the subject of refugees is discussed in international forums. The American public, listening to what is said, finds the debate difficult to reconcile with reality.

After my recent speech in the last Executive Committee of the UNHCR in Geneva, the Delegate of the Socialist Republic of Vietnam rose to take his country's exception and place the usual blame on the United States for the huge numbers of refugees leaving his country since 1975.

The United States left Vietnam seven years ago. Granted we were involved in a brave struggle to assist the people of South Vietnam to preserve their own independence and way of life. There was war and hardship. But there were no boat people. There was no hunger. Nor were tens of thousands of Vietnamese citizens shipped off to foreign lands as cheap exported labor. When we were there, Buddhist monks celebrated ancient rites in their temples, there was freedom of movement and peaceful emigration, and Vietnam was an exporter of food. Today Vietnam's largest export is refugees: over 1.3 million people have left that country since 1975. The horror stories of the boat people are well known to everyone here, as well as the fact that refugees still continue to come out, choosing to face probable pirate attacks and grave danger of death, rather than remain in a country whose future appears to be only more of today's cruel despair.

If the members of this Committee wish to pay tribute to the courage of refugees, we must ourselves find the courage to talk about the conditions which are driving large numbers of people from their homes.

Moreover, unless we are willing to be burdened with the cost of first asylum, resettlement and care, and the suffering of these people on our conscience, we will have to face up to the fact that ultimately the problem is a political one. Here the High Commissioner must look to us for action.

Acts of conscious state policy create the vast majority of refugees in the world today -- such as the Soviet invasion of Afghanistan which accounts for three million Afghan refugees; Soviet, Cuban, and Libyan subversion in Africa which accounts for millions of refugees in Africa; and the Vietnamese invasion of Cambodia which accounts for hundreds of thousands of Khmer refugees in Thailand.

We should not forget that these regimes, which are responsible for producing the largest number of refugees in the world today, do nothing to assist them. Some are parties to the Convention and Protocol. Yet they violate them repeatedly and blatantly, and contribute not one cent to the international community's work to aid refugees.

It is unfortunate that the attempts of West Germany and Canada to have a full and fair discussion of this in appropriate United Nations' forums has met with delays and even outright resistance, because it is a problem which needs to be discussed.

In all of our deliberations in this body, we must ask ourselves "What kind of world do we wish to live in?" Ideally, it would be a world where the UNHCR was not needed because there were no refugees. Unfortunately, we are far from that goal today, but we must believe that if the member states of the United Nations have the will to face the root causes of refugee flows -- there will be progress, albeit gradual progress toward a just resolution of our refugee responsibilities. The resources of our United Nations can be effective if we use them wisely. Let us recommit ourselves to do so with the anticipation that the High Commissioner's report next year will show that our common efforts have turned the tide and that the future will be one of hope rather than despair for the world's refugees.



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PRESS RELEASE

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Press Release USUN 142-(82)
November 23, 1982

Statement by Senator Robert W. Kasten, Jr., United States Representative to the United Nations 37th Session of the General Assembly, in the Third Committee on Item 84, Elimination of All Forms of Religious Intolerance, November 23, 1982

Mr. Chairman, last year, following almost two decades of consideration, study and discussion, the General Assembly adopted the Declaration on the Elimination of All Forms of Intolerance and Discrimination based on Religion or Belief.

The Declaration locates the freedom of thought, conscience, religion and belief in the "dignity and equality inherent in all human beings." Freedom of religion, thought, conscience and belief, according to the Declaration, is not a favor that states may grant or withhold at their pleasure, or use as a reward or a punishment. It is a right of all humanity which exists independent of and prior to the prerogatives of states.

The Declaration prescribes that states take "effective measures to prevent or eliminate discrimination on the grounds of religion or belief," and that they "make all efforts to enact or rescind legislation where necessary to prohibit discrimination and to take all appropriate measures to combat intolerance." The state's role in setting standards for religious practices must be defined in law, according to the Declaration, and it is to be exercised only to the degree "necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others." Considerations such as the truth or falsity of religious claims are not among the items listed in this clause of the Declaration, nor are considerations of state convenience or views on political and social questions.

By adopting this Declaration, we have not solved the problem of religious intolerance. Many specific and glaring cases of religious intolerance and discrimination continue to exist.

For example, the treatment today of the Baha'i in Iran embodies in a particularly brutal way the classic form of religious intolerance which says that what is different must be wrong and must, therefore, be suppressed.

The present Iranian Government seems determined to destroy the Baha'i religion in Iran. The houses of worship of the Baha'i have been closed and destroyed. Their books and writings are burned when found. Baha'i marriages are not recognized as legal, and the children of such marriages are considered illegitimate. The pensions of retired government workers who are Baha'is have been stopped, and in May 1979, Baha'is employed by the Iranian Government were told they must renounce their faith or face dismissal. In September 1979, provincial governments were instructed not to license Baha'i shopkeepers or merchants. Elders of the Baha'i faith have been abducted, some to be publicly executed, others to join the thousands of the "disappeared."

Mr. Chairman, this is an example of the intolerance enforced by an undemocratic government controlled by the dominant religion. This has been a prevalent form of religious discrimination over the centuries, but the modern era has witnessed a new and especially virulent form of state-enforced intolerance. The rise of totalitarian governments, seeking to control and organize all aspects of life, culture and society, has been accompanied by intolerance of all religions. Religions are seen as competitors for influence, affection or obedience, and therefore, as institutions which must be destroyed. Such political systems are based on what Pope John Paul II this month called "secularized ideologies that go as far as to negate God and limit religious liberty."

One example is Vietnam where all three principal religions --Buddhism, Christianity and Islam, --are treated with great hostility. Catholic priests and nuns and Protestant ministers are subject to continual police surveillance, and according to the English Catholic newspaper, The Tablet, some 200 Catholic priests are in prison at the present time. Islamic schools have been closed and the traditional pilgrimage to Mecca has been forbidden. Large numbers of Buddhist monks have been sent to re-education camps. The An Quang Buddhist sect, which ironically was suspected by the former Thieu Government of having pro-Communist sympathies, has suffered rigorous persecution by the Hanoi Government, according to An Quang monks who have managed to escape to Thailand.

Some of the most clear-cut violations of the Declaration on Elimination of Religious Intolerance take place in Albania. Let me quote from the 1980 Amnesty International Report:

"In 1967, Albania was officially proclaimed the first atheist state in the world and churches and mosques were closed or demolished. Religious leaders of the Roman Catholic, Orthodox and Moslem faiths were prohibited from exercising their functions and persecuted. Many are reported to have been sentenced to long terms of imprisonment or banishment for attempting to exercise their right to freedom of conscience."

Article 55 of the Albanian Constitution flatly prohibits religious organizations and religious activity, and the Albanian Penal Code makes such activity punishable by three to ten years' imprisonment.

Albanian law thus openly and completely contradicts the Declaration on the Elimination of Religious Intolerance. Article 4, Section 2 of the Declaration demands that all states shall either enact or, where necessary, rescind legislation in order to prohibit religious intolerance and discrimination. The Albanian Government thus has a clear moral obligation to remove the legislation which prohibits the full exercise of religion in Albania.

Nicaragua also applies a stringent political test to religious activity. There, Interior Minister Tomas Borge has stated, "the future of religious sects in Nicaragua will depend upon their attitude henceforth toward the revolution."

But the people of Nicaragua are deeply religious and the confrontation between the Nicaraguan Government and the Catholic Church has been a source of growing dismay and consternation. Archbishop Obando y Bravo, who was banned by the government from saying mass on television, has said that the Sandinistas are afraid of the church and its large following. "They would like us to accept their Marxism," he has said, "and walk shoulder to shoulder with them. They want us to be their apologists."

The government has repeatedly closed down the church's radio station and sponsored stone-throwing, chain-wielding mobs -- called turbas -- which harass priests and occupy church premises. Such acts have profoundly alienated the population. As a parishioner from San Marcos recently told The Wall Street Journal, "when they attack the church and our priests, they are attacking us, and we won't stand for it."

The United Nations and the world community should not stand for it either.

The world pioneer in the suppression of religion, Mr. Chairman, is the Soviet Union. Although Article 52 of the Soviet Constitution guarantees freedom of religion, and provides for the separation of church and state, the practice followed in the Soviet Union is best described in the following quote from the works of Stalin:

"The Party cannot be neutral toward religion and it conducts anti-religion propaganda against all and every religious prejudice."

Religion is seen as preaching a transcendent view of man and the world which Soviet authorities reject, since this view is innately opposed to their efforts to make the individual completely subservient to the state. There are also specific churches and religions -- for example, the Catholic Church in Lithuania or the Islamic Religion in the Central Asian Republics of the USSR -- that are seen as the carriers of a nationalist spirit which works against Russian domination. Such churches and religions are marked for special measures -- overt suppression, as in the case of the Catholic Church in Lithuania, or a more subtle form of corruption and subversion from within, as in the case of Islam in the Central Asian Republics.

The Jewish minority in the Soviet Union experiences discrimination and denial of basic human rights not only on religious grounds but on racial and ethnic grounds as well. Soviet Jews who attempt to teach their religion to young people can be charged with criminal activity and sent to the Gulag. Those who reproduce religious writings may lose their jobs and often face arrest as well. Jewish parents, like Protestant or Catholic or Orthodox parents, may be deprived of their children if the children receive religious instruction outside the home.

In addition to these persecutions, common to all who practice a religion in the Soviet Union, Jews are subject to a range of discrimination and hostility which is reserved especially for them. State and party newspapers and periodicals have published an enormous volume of anti-Semitic hate literature which reworks the themes of The Protocols of the Elders of Zion, the anti-Semitic tract -- first published in Russia in 1905. It alleges a Jewish world conspiracy and inspired the propaganda and violence of the Black Hundreds in Russia at the turn of the century and later of the Nazis in Germany.

Mr. Chairman, the US delegation is fortunate to have in its possession a letter to a member of the delegation, dated November 5, 1982, which gives a vivid, moving picture of the nature of religious persecution in the Soviet Union. The letter is from Natalia Solzhenitsyn, the wife of the Nobel Laureate. Mrs. Solzhenitsyn calls our attention to a remarkable document, the "Report of the Council for Religious Affairs to Members of the Central Committee of the CPSU," which demonstrates that the Council, a party-governmental organization, controls the Russian Orthodox Church on all levels, from the Patriarch down to the clerk who sells candles. It also demonstrates that the Council demands from priests not merely civic loyalty to the authorities, but a maximal passivity which perverts the very meaning of their service.

Mrs. Solzhenitsyn's letter is most significant, however, as a personal testimony. What follows is quoted from that letter:

"I would like to list for you," she writes, "those violations of religious freedom (and only those) which I and my family personally experienced, as rank-and-file members of the Orthodox Church.

"The number of churches in the USSR is far below the population's needs. Consequently, during services the churches are always crowded and stuffy, with the result that older people faint. In Moscow and all across the country there are many churches which are used as warehouses or offices, and some simply remain empty, but the authorities have refused believers' requests that they be allowed to use them for services. (Naturally, the believers were ready to assume all expenses.)

"It is impossible to purchase a copy of the Bible, the New Testament, prayer books, or any sort of religious or theological literature. There are no bookstores where these items are sold. The publishing house of the Moscow Patriarchate prints religious books,

but they are issued in such miniscule quantities that a lay person cannot hope to acquire even a church calendar which lists church holidays and gospel readings. Only three or four calendars are issued to each parish, which usually contains thousands of people.

"I bought my copy of the New Testament from an old and very poor woman when I was a student at Moscow University, having given her my entire month's allowance. The thirst for Bibles and New Testaments is very great, not only among believers, but also among young atheists, all of whom are forced to take courses in 'scientific atheism' in all institutions of higher learning. Many of these people would themselves like to read the holy scriptures, which are constantly derided and made fun of, not only at these courses, but everywhere. However, I would like to repeat that these books are available only on the 'black market' and nowhere else.

"There is a lack of priests in the country. In order to have the opportunity to give confession, people must wait for hours, and even then it is often impossible to have a personal confession. Parishioners must then take part in 'collective confessions,' which do not satisfy most believers.

"Priests are forbidden to conduct private services outside of churches, and if a person is ill or is dying and is unable to go to church, then he may die without communion. For a believer, this can be tragic.

"Sermons are rarely given in churches. The Council for Religious Affairs exerts great pressure on priests, urging them not to give sermons. Religious meetings held outside church walls are forbidden as are any other meetings held by Soviet citizens which the authorities cannot control. Thus, people are practically left without any form of spiritual guidance, which is particularly felt by the youth.

"Soviet schools educate children in the spirit of generating hostility toward religion and they follow this policy with great militancy. Practically every school lesson and surely every school book, be it on history, literature, physics, or biology, contains angry attacks on religion and on Jesus Christ, formulated in extremely crude terms.

"Practically 100 percent of the children must join the 'Pioneers,' which is a children's communist organization under the jurisdiction of the Komsomol (Communist Youth League), which in turn is under the direction of the CPSU. The charter of the Pioneers contains a point which obliges a Pioneer to actively combat belief in God and root out religion as a 'bourgeois vestige.'

"When my older son became nine years old (the required age for joining the Pioneers), he openly announced in school that he believed in God, that he attended church, and that he is ready to join the Pioneers only if he were relieved from fulfilling this particular point in the charter. A struggle began which lasted more than two

years, up to the very time of our expulsion from the USSR. My son and I were constantly summoned by the school principal and were pressured into believing that he would be setting a bad example, that we are deeply confused, etc. A teacher who worked at the school for 25 years told me that this was the first such case that he had encountered.

"At the same time, however, other school children wearing their Pioneer neckties often came up to my son, pressed his hand, and told him that they too believed in God, but that if they were to announce this openly, their parents would be fired from their jobs, and they were afraid. By that time our family had already become so completely 'damned' in the eyes of the Soviet authorities, that we no longer had anything to lose, while other families had good reasons for being afraid to confess their faith openly. I knew many Moscow families where the parents lost their jobs or were demoted after a denunciation from the Council for Religious Affairs was sent to the place of their employment, stating that they had baptized their child. And this did not happen during the legendary 1920's, but in the 1960's and 1970's. Thus, the authorities' pronouncements regarding 'freedom of conscience' are empty words.

"Religion cannot be taught even within the confines of church walls. In private homes it is also forbidden to create groups of more than three children for the study of religion. This means that in practice, Russian children are left without religious books and teachers, and are deprived of the opportunity to learn of the thousand-year-old faith of their forefathers. That is monstrous.

"In Moscow many of my friends and I copied (by hand or typewriter) church texts, explanations, and parables for our children.

"Everything is also done in order that children not participate in the liturgical life of the Church. For instance, children do not have the right to sing in church choirs, although in all countries of the world, during all ages, in all religions, children have sung in choirs during church services.

"Often children are forcibly stopped from attending Easter midnight service. I myself had to tear away my five-year-old son from the arms of the 'druzhinniki' (auxiliary police), who pulled him away from me, in order that he should not enter the church.

"Of course, there are many other difficult problems relating to the status of our church. The number of candidates who are accepted into theological seminaries are far below the number of people who want to attend, and this is done in order to deprive the people of their priests by artificial means. Almost all monasteries have been closed, and those priests who have dared to be true 'fathers' to their parishioners have been persecuted and arrested. There is much, much more, which bears witness to the essential facts that the communist regime is engaged in a struggle against God.

"At the present time church statistics are never published, but I will cite a few figures from the previously mentioned Report to the Central Committee and compare them with official church statistics for the year 1907.

"In 1907 there were 51,413 churches in Russia. As of 1975, there were 7,062.

"In 1907, there were 622 monasteries for men and 17,583 monks. As of 1970, there were 6 monasteries for men and 290 monks.

"In 1907 there were 218 monasteries for women and 52,972 nuns. As of 1970, there were 10 monasteries for women and 985 nuns.

"In 1907 there were 20,113 chapels and 19,659 church libraries. Chapels and church libraries are not mentioned in the Report to the Central Committee for the simple reason that now they don't exist anymore in the USSR."

Those are facts provided to us by Mrs. Solzhenitsyn.

Mr. Chairman, the United States would like to call to the special attention of the Third Committee the case of Zoya Krakhmalnikova, a famous literary critic and essayist in the Soviet Union, who was arrested in Moscow on the night of August 3-4 of this year, and taken to Lefortovo Prison. This woman did not participate in anything which may be described as political; she was arrested for engaging in purely religious-educational activity.

Krakhmalnikova had been, since 1976, the editor and compiler of a samizdat Christian reader called Nadezhda, which means 'hope' in Russian. Nadezhda contained texts written by church fathers, beginning with the first centuries of Christianity, along with excerpts from the work of famous Orthodox theologians, materials on the Christian tradition in literature, testimony from contemporaries describing their conversion to religion, articles on culture, etc. The writings published in Nadezhda were purely religious, and without political content of any type.

In his appeal issued on the occasion of Zoya Krakhmalnikova's arrest, Archbishop Anthony of Geneva and Western Europe wrote the following:

"In 1978 we blessed the publishing of this collection, which was so needed by the faithful.... We would like to draw everyone's attention to the fact that the Nadezhda collections do not contain any other materials besides those that are strictly religious."

During the course of the past six years the authorities had never warned Krakhmalnikova that her work on Nadezhda was illegal or undesirable. Her arrest represents a blatant case of religious persecution.

Such persecution will not snuff out the fire of religious belief. If anything, it will compel people to hold more firmly to their beliefs, which are a source of spiritual sustenance in the dark world of totalitarianism.

Every day on Victory Square in Warsaw the people come to lay flowers in the form of a giant cross, and every night the authorities sweep it away. Every day and every night this ritual is repeated -- the people demonstrating in the light of the day their undying faith, and the regime, furtively and in the dark of night, trying unsuccessfully to erase the symbol of their belief.

It will not work, Mr. Chairman -- not in Poland nor in the Soviet Union nor in any country where the authorities seek to destroy the human soul for the greater glory of the State. The human soul will endure, Mr. Chairman. Indeed, it will prevail.



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PRESS RELEASE

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Press Release USUN 166-(82)
December 6, 1982

Statement by The Honorable Robert W. Kasten Jr., United States Representative to the 37th Session of the United Nations General Assembly, in the Third Committee, on Item 12, the Human Rights Situation in Poland, December 6, 1982

Mr. Chairman, I wish to address today the continuing suppression of human rights and fundamental freedoms in Poland.

This is an issue which is of profound importance for a proud and courageous people, of course--and for peace and stability in the world. Last December 13, in Poland, one of the major hopes and indeed prospects of the post-war period for renewal of civil society was brutally repressed by a member State of this organization. This was the attempt of the Polish people to create a genuinely free labor movement which expressed the real will of the workers; to put back into the hands of the Polish people greater control of their own social, economic, political and cultural destiny; and to breed new life into a society which had been deadened by a totalitarian system as unsuccessful as it was inhumane. What was repressed in Poland was an effort at peaceful, non-violent change supported by the overwhelming majority of the Polish people themselves.

Although some changes have been instituted recently by the Polish authorities, and additional changes are rumored to be imminent, there has been no fundamental change in the basic situation in Poland: The free Solidarity trade union movement has been outlawed; the apparatus of repression remains in force; massive violations of human rights and fundamental freedoms continue; and Poland's basic problems have not been resolved. Indeed, in some areas repression is still increasing. Just last week, for example, Poland's military authorities dissolved the independent Polish actors'

association--after other methods of harassment and intimidation had failed--to crush the highly successful boycott of state-controlled television and radio which the actors' association had instituted to protest repression.

Mr. Chairman, a measure of the international community's revulsion at the repression which has befallen Poland is contained in Resolution 1982/26, adopted by the United Nations Commission on Human Rights last March in Geneva. That Resolution expressed the Human Rights Commission's deep concern

over the continuing widespread violations of human rights and fundamental freedoms in Poland. It reaffirmed the rights of the Polish people to pursue their political and economic development free from outside interference. And it called for an end in Poland to measures restricting human rights and fundamental freedoms, for the release of prisoners detained without charge and a review of sentences imposed under martial law.

The Resolution also called on the Secretary-General to undertake a thorough, objective study of the human rights situation in Poland and to present a comprehensive report to the Thirty Ninth Session of the Commission in the Spring of 1983. Mr. Chairman, this issue is so important, and the continuing violations of human rights in Poland so grave, as to make it absolutely essential that the Secretary-General appoint the Special Rapporteur mandated by Resolution 1982/26 without further delay. This action, and prompt preparation of the required report, would make a positive contribution to greater international understanding of repression in Poland; it could serve as a further useful inducement to real improvements in the human rights situation in that country.

The Governing Body of the International Labor Organization also expressed its continuing concern at events in Poland during its just completed session in Geneva. On November 19, the ILO'S Governing Body overwhelmingly approved--by a vote of forty seven to four, with three abstentions--the report on Poland of its Committee on Freedom of Association. That report expressed particularly deep concern at the actions of the Polish government in dissolving all existing trade unions, especially Solidarity. It noted that the provisions of the new Polish Trade Union Act of October 8, 1982 do not conform to the International Labor Organization's principles of freedom of association and collective bargaining particularly in respect to recognition of trade union rights, in the area of collective bargaining, and in respect to strike procedures and penalties. The Report also noted that, a full year after the repressive crackdown, numerous persons are still being detained in Polish prisons and that new arrests took place in Poland as recently as August and September.

The ILO Report accordingly recommended that the International Labor Organization's Governing Body, in its February-March 1983 session, consider possible establishment of an official Commission of Inquiry on Poland

Mr. Chairman, these actions make it clear that the international community does not accept the view, often expressed by the Polish military authorities and their supporters that the Polish repression is solely a Polish internal matter. Clearly, these international organizations consider--as we do--that the repressive activities of the Jaruzelski regime, including the Trade Union Law of October 8, 1982, are serious violations of Poland's freely assumed international obligations and commitments and thus are a matter of profound and legitimate concern to all countries. Indeed, Polish repression directly violates, inter alia, the United Nations Charter, the Universal Declaration of Human Rights, the

International Covenant on Economic, Social and Cultural Rights, several conventions of the International Labor Organization, and the Helsinki Final Act, to all of which the government of Poland is a party.

Nor can we accept the view that as a result of some largely cosmetic gestures by the Jaruzelski government, we need no longer concern ourselves with the human rights situation in Poland. For the fact is that nothing fundamental has yet changed in Poland: the instruments of repression in Poland remain and massive repression of human rights and fundamental freedoms continues to occur.

Certainly we join all free men in welcoming the long overdue release in November of Lech Walesa, the leader of Solidarity. We, like others, earnestly hope that this move now will be followed by the release of the other leaders, members, advisers and supporters of Solidarity and of the Polish reform movement who are still interned; that martial law itself will be rescinded; and that there will be renewed, genuine dialogue between the Government, Solidarity, and the Church.

But, at the same time, we cannot ignore the fact that Mr. Walesa was imprisoned for eleven months, the last seven reportedly in virtual solitary confinement, for activities which the United Nations and numerous other international organizations actively support and promote--namely, for seeking to achieve expanded rights for Polish workers through free trade unionism. Though released from confinement, Mr. Walesa's political activities remain circumscribed by Polish authorities.

Nor, Mr. Chairman, can we or will we overlook other salient facts about the human rights situation in Poland today.

We will not overlook the fact that the Polish martial law government has abolished the ten-million member Solidarity trade union, including the private farmers union, by administrative fiat; and that it has passed new laws prohibiting Solidarity's restoration--even use of its name--and severely restricting all union activities. We will not ignore that this was done in blatant violation of numerous International Labor Organization Conventions, as the ILO Report definitively establishes. Nor that repression was expressly imposed to roll back the momentum toward political and social change which Solidarity represented, and which was and is supported by the great majority of the Polish people. It thus involves suppression of one of the most basic rights of any people: The right of the Polish people to self-determination; their right freely to decide their own political status and freely to guide their own economic, social and cultural development.

In a vain attempt to justify their repressive actions, Polish authorities have offered a number of "explanations." General Jaruzelski has accused Solidarity of seeking the destruction of socialist Polish statehood and the dismantling of the postwar configuration of forces in Europe. Solidarity's leaders, he has claimed, had embarked upon a process of "confrontation" which would have plunged Poland "into the abyss of fratricide". Solidarity's activities, he has further charged, had led to "chaos and demoralization [which] have assumed the proportions of a disaster."

Let us examine these charges.

The charge that Solidarity sought to overthrow the Polish Communist regime is an outright falsehood. The Solidarity Union never challenged the supremacy of the Communist Party in Poland or demanded Poland's withdrawal from the Warsaw Pact. To the contrary: it vowed to observe the Polish Constitution and to recognize the "leading role" of the Polish Communist Party. Solidarity's only so-called "crime" was to demand those human rights to which the Polish government has legally committed itself in international agreements: free trade unions; freedom of expression; the reduction of censorship; an end to political trials; and honest information about Poland's past and present.

Nor was Solidarity embarked on a policy of confrontation which would have culminated in fratricidal strife. In the year and a half preceding the imposition of martial law, it was the Polish government--not Solidarity--which sought to provoke a confrontation. It was the Polish government which engaged in a continuous effort to undermine and obstruct the implementation of the historic Gdansk Agreement of August 31, 1980. It was the government which deliberately distorted Solidarity's aims in the government-controlled media, which harassed and beat Solidarity activists, and which finally proposed a law outlawing strikes. In the face of these provocations, Solidarity persisted in its call for a national dialogue. Perhaps the most striking feature of Solidarity's struggles for human rights is the commitment of its leaders and members to a policy of non-violence. To accuse such a movement of seeking to provoke civil war is to engage in blatant, cynical inversion of the truth.

It also is totally absurd to charge that Solidarity's activities were bringing Poland to the verge of economic chaos. Months before the imposition of martial law, Solidarity's leaders sought to curtail strikes and prevent disruption. Time and again Solidarity's leaders proposed economic reforms to increase productivity and efficiency. It was the authorities, in fact, that blocked every initiative and were concerned solely with the question of political power. The imposition of martial law, far from rescuing Poland from economic chaos, can only intensify Poland's economic difficulties, as current development indicate. Even official Polish Government forecasts project a six to seven percent decline in national income in 1982 under martial law, and this figure probably is overly optimistic. An industrial economy cannot be run at gunpoint.

Mr. Chairman, Solidarity's only "crime" was its failure to acquiesce in the Polish regime's claim to omnipotence. Its members refused to regard themselves as a kind of state property. They had the temerity to demand their human rights, and the audacity to seek to place limits on the heretofore absolute powers of the regime. For this singular act of insubordination--and for this act alone--the Polish military government is trying to destroy Solidarity and the broader spirit of reform it represents.

Mr. Chairman, in that effort the Polish military regime continues, a full year after the application of martial law, to

commit sweeping acts of repression against nearly all segments of Polish society.

The very decree on the State of War which established that repression suspends, or limits for the duration of the proclamation, all fundamental civil rights recognized by the Polish Constitution and the international treaties to which Poland is a party. And actions taken under that, and other repressive laws violate numerous provisions of the Declaration of Human Rights (Articles 3, 5, 8, 9, 10 and 11) and of the International Covenant on Civil and Political Rights (Articles 6, 7, 8, 9, 10, 14 and 15) which inter alia affirm the individual's right to be free from cruel, inhuman or degrading treatment or punishment. Indeed the current actions of Poland's military authorities make a mockery of these international commitments.

Mr. Chairman, the human costs of these violations continue to be enormous:

--The Polish authorities themselves have acknowledged the killing of strikers and demonstrators in the course of suppressive actions. On December 17, 1981, for example, the regime announced that nine coal miners had been shot to death by security forces breaking a strike in the Wujek coal mines near Katowice. Following the nationwide disturbances on August 31, 1982, the official media reported the deaths of two demonstrators in Lubin, one in Wroclaw, and one in Gdansk. And unofficial and unconfirmed reports indicate an even higher number of fatalities actually may have occurred.

--Moreover, additional thousands of Polish citizens have been wounded and injured in the course of police actions. Numerous eyewitness accounts testified to excessive use of police force in the past year to suppress public manifestations of dissatisfaction with repression.

--Thousands of Polish citizens have been convicted of martial law violations by summary military and civil tribunals, and many others are under arrest and awaiting trial. Thus, over five thousand people were arrested or detained in the wake of the August 31, 1982 disturbances alone. According to conservative estimates there are approximately 700 detainees and 4000 individuals who are languishing in prison for violation of martial law offenses. Others estimate that at least ten thousand are now serving sentences or awaiting trial and as many as thirty thousand have been sentenced under martial law to prison terms ranging from three months to nine years.

--Sentences for martial law violations often have been severe. Even minor offenses, such as printing and distributing underground news bulletins, have entailed sentences of three to five years' imprisonment.

--Accounts of beatings and physical abuse of prisoners continue to abound. The Catholic Church and the International Committee of the Red Cross have made strenuous efforts to visit martial law prisoners in various detention centers, but the Polish regime has generally done what it could to frustrate such efforts. When one such visit was permitted in early January, ICRC inspectors reported deplorable conditions in all but four or five showcase facilities in former resorts. They reportedly often found eighteen to twenty persons sharing a

single room with a common toilet, internees were locked up with common criminals, and some were sent to psychiatric hospitals.

--The scale of such police actions as warrantless search of homes and offices, confiscation of personal documents and property, monitoring of telephones and other forms of electronic eavesdropping--all without legal recourse--have been massive.

--Tight military and government control has been reimposed by the Jaruzelski regime over print and electronic media. The Polish press, radio and television have resumed practices reminiscent of the 1950's. Pluralism of viewpoints, regard for factual accuracy, and candor have all but vanished in Poland. Solidarity's press has been shut down and church periodicals subjected to censorship.

--The martial law regime also has used a system of ideological "verification" to subdue dissident voices and produce a uniform media line conforming to military dictates. According to a key official of the dissolved journalists association and to Western press reports, more than 1,200 print and media journalists have lost their positions in the ideological purge. The creation in late March of a new, regime-controlled journalists organization demonstrated the regime's determination to eradicate all vestiges of public autonomy and assert complete dominance over public life.

--Martial law decrees also have expressly banned all types of public assembly and demonstrations without prior permission of the authorities, except for limited types of religious celebrations. Under this provision, the regime reportedly has employed massive amounts of police force to suppress strikes, demonstrations and other open manifestations of popular unrest. Elite internal security troops and Zomo riot police have used tanks, armored cars, water cannons, tear gas, clubs and in some instances, even small arms, to crush what almost always have been non-violent protest actions. Crowd violence against police generally has occurred only after the authorities had forcibly suppressed attempts to hold peaceful protest actions.

--Stiff action has been taken against those attempting to carry on free union activities. Severe prison sentences have been mandated for persons persisting in such trade union activities, especially those organizing and participating in strikes.

--Some Polish industrial plants have been militarized. According to the Polish newspaper, Zycie Warszawy (October 21, 1982), the essence of such militarization is that workers in the enterprises involved are, in effect, inducted into military service from the moment of militarization. Military service principles, including military penal provisions and summary court procedures, are substituted for normal conditions of work; factory directors have military command authority, including the possibility of lengthening working hours and transferring workers, without consultations with the workers.

--In addition, the martial law authorities have employed another highly effective method of stifling worker protests. This is the so-called "wolf-ticket" which involves dismissal

from employment and the effective denial of future employment in any state-controlled sector of the economy. A worker denied employment in this manner becomes dependent on his family for support, a particularly onerous sanction in the wake of the steep price rises which have caused the costs of food and other basic necessities in Poland to skyrocket.

Mr. Chairman, the suppression of human rights and fundamental freedom of the Polish people which we have documented also constitutes a massive violation of the Helsinki Final Act. Since my country, like many others, has made these violations a central subject at the review talks of the Conference on Security and Cooperation in Europe, in Madrid, I will not review them again in detail today before this Committee.

However, I do wish, Mr. Chairman, to mention one particularly flagrant violation of the Helsinki Final Act and of the United Nations Charter on which it is based: the continuing Soviet effort to dictate, and to control events in Poland. Through massive intimidation and interference, the Soviet Union has conspired with the Polish military authorities to deprive the Polish people of their rights to self determination. As my government has fully documented (Special Report No. 94 on Soviet Involvement in Poland, July 1980 - December 1981), Poland was subjected in the period leading up to imposition of martial law, to a continuous barrage of Soviet pressures, threats and acts of intimidation, including military maneuvers to bring about repression in Poland and to stifle the reform process supported by the great majority of the Polish people. And continuing attacks on the Church, private agriculture and the Polish workers movement appear in the official Soviet press to supplement Soviet official encouragement for a continuing tough line against the forces of reform in Poland.

It is a bitter irony that the Soviet Communist Party, which calls itself the "vanguard of the proletariat", so avidly has sought to crush in Poland the true aspirations of the Polish working class. It is equally ironic that the Soviet Union, which purports to be the leader of world revolution, is so rigid and intolerant--and so fearful--that it cannot permit peaceful, progressive reform in one of its neighbors. Certainly it is inconsistent with the United Nations Charter for any country to assume that some ideological prerogative grants it the right to control another--whether in Afghanistan or Poland.

Mr. Chairman, we are convinced that a rapid and complete restoration of human rights and fundamental freedoms is the surest guarantee of peace and stability in Poland. Continuing repression of the Polish people's rights cannot solve Poland's intractable economic and political problems. Purely superficial and cosmetic changes designed more to put a respectable facade on repression than to change the underlying situation cannot bring a lasting solution. Only a return to a genuine process of national reconciliation and self-determination can do so.

We therefore urgently call upon the government of Poland to lift martial law repression in fact and substance, not just in name; to release all of its political prisoners; and to return to a process of constructive and uncoerced dialogue with the Polish Church and with Solidarity.

We call upon the new leaders of the Soviet Union to abide by the provisions of the United Nations Charter and the Helsinki Final Act to respect the rights of the Polish people freely to pursue its political, economic, social and cultural development, and to refrain from the threat or use of force against Poland.

And we urge all countries in this Committee to support all efforts in this body and its specialized agencies to promote the earliest possible return to a process of self-determination in Poland and the fullest possible restoration of human rights and fundamental freedoms in that country.

My country has joined others in taking a number of measures to encourage improvements in the human rights situation in Poland. We also have made it absolutely clear that if real, not just cosmetic, improvements do occur, these will be met with a reciprocal positive United States response. Our actions have been and will be guided by the practical consideration of strengthening respect for human rights in Poland, including the rights of free association which the Polish people exercised in forming the Solidarity Union. The denial of human rights not only affects the Polish people but has done grave damage to world peace. We all, therefore, have a fundamental stake in the genuine termination of the repression in Poland and in the revival of the process of peaceful change which inspired the hopes of the Polish people and--indeed--of freedom-loving people throughout the world.



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PRESS RELEASE

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Press Release USUN 167-(82)
December 7, 1982

Statement by Ambassador Jeane J. Kirkpatrick, United States Permanent Representative to the United Nations, in the Third Committee, on Item 12, Report of the Economic and Social Council: Human Rights, December 7, 1982

What is the role of the United Nations with regard to human rights? And what should it be? How important is the protection of human rights and human freedom to this institution? These questions were raised in several United Nations arenas last week. They were raised once when the United States noted that the proposed resolution on the Secretary General's report contained no reference to human rights or freedom, and proposed this addition. The draft resolution had already been expanded beyond the specific subject matter of the Secretary General's report to embrace broader issues. Our suggestion was not enthusiastically received.

Other nations, we were told, would resist the addition of human rights to the resolution. Its purpose, we were told, was to focus on the Charter and on the purposes stated there. When we pointed out that commitment to human rights and freedom were present in the Charter, it was asserted that the resolution should focus only on the most important purposes of the United Nations -- and that protection of human rights did not have the same priority as preserving peace, promoting development, or ending the arms race.

Furthermore, it was pointed out, human rights involve individuals, whereas the important purposes of the U.N. involve collectivities.

Eventually resisters reconsidered, resistance waned and human rights were included in the resolution. But the initial absence of concern for human rights violations and reticence about their inclusion were significant. They point to an erosion in commitment and clarity concerning human rights and freedom and especially to the existence of ambiguity about their relations to other goals of the Charter and of the United Nations.

The fact is, of course, that the protection of human rights and freedom is identified in the Preamble of the Charter and enumerated among its purposes:

"We the peoples of the United Nations determined ... to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women ... have resolved to combine our efforts to accomplish these aims ..."

"The purposes of the United Nations," says Chapter one, Article one, are:

"to achieve international cooperation ... in promoting and encouraging respect for human rights and for fundamental freedom for all without distinction as to race, sex, language or religion."

It was entirely natural that persons concerned with the preservation of international peace should have been committed also to the preservation of human rights and freedom because the two are inexorably linked.

In fact, respect for human rights and fundamental freedoms is integrally linked to all major political values, as abuse of human rights and fundamental freedoms is integrally associated with all the most important political crimes.

There are two principle methods of acting politically in both internal and international affairs: these are the method of consent and the method of violence.

In internal affairs the method of consent means governing with permission of the governed. Consent must be given, it cannot be coerced. Consent can be given only when there is freedom to withhold it -- to inquire, discuss, disagree. Institutionalized, the method of consent is democracy.

In external affairs, too, the method of consent means respecting the national independence and sovereign equality of all. It means basing relations among nations on persuasion, cooperation, contract, and requires that nations have the right to disagree, to withhold cooperation. Consent is utterly incompatible with conquest.

The method of consent respects human rights. It encourages initiative, innovation, effort. Societies whose governments rely on the method of consent do not produce refugees.

The method of violence stands in sharp contrast to the method of consent. Applied to the internal affairs of a nation, the method of violence bases power on coercion, compels conformity and honors neither law, custom, nor the wishes of the governed. Institutionalized, it is autocracy. In external affairs the method of violence is invasion, occupation, conquest. It respects neither the territorial integrity of nations, nor the right to self-determination nor self-government of peoples. The method of violence produces widespread violation of the human rights of its objects and victims. The clearest expression of the method of violence is war.

"War," wrote its greatest theoretician, Karl von Clausewitz, "is an act of violence intended to compel our opponent to fulfill our will." It occurs in our times when rulers of one nation use physical force to conquer another people. Military force is a means, but as Raymond Aron has noted, "military victory is not the goal." War is not a sport practiced for its own sake. It is a deadly game pursued for political ends.

War, continued von Clausewitz, is "not merely a political act, but also a real political instrument." It is politics conducted by violence -- to the end of establishing control over some populace. War is a way of seeking and winning power by conquest, which stands in the sharpest possible contrast to establishing power by consent.

The method of violence seeks to silence, not to persuade. It is more concerned with power than with truth or freedom or law. It values control over consent. It deprives those against whom it is used of basic human rights -- of their right to life, liberty, security, due process of law. Today, the method of violence deprives the people of Poland of their right to assemble, their right to organize independent trade unions and to bargain collectively, their right to a voice in the basic decisions of the society.

Applied across borders, as in Afghanistan and Cambodia today, the method of violence deprives whole societies of self-determination, security and peace. The method of violence is used against these peoples, their culture, social institutions, religious practices, economies, and governments.

Violence is an assault on the human dignity, human rights, and fundamental freedoms of its objects. It relies on armies, guns, bombs, poison gas, mycotoxins to coerce submission and secure compliance.

The method of violence produces what is here called "mass exoduses," that is, a tragic flow of persons fleeing from their native lands in fear for their lives and freedom. This relationship was recognized in Resolution 309, adopted on March 1, 1980, by the Human Rights Commission, which noted that "large exoduses of persons and groups are frequently the result of violations of human rights," and again, in the recent study of the Special Rapporteur, which asserted:

"In all the situations taking place during the past decade, violations of this spirit, and frequently of this letter of the Universal Declaration of Human Rights and its Preamble must be recognized. The rule of law, which is the only guarantee of just treatment of the individual, was simply nonexistent in many of the countries from which exodus took place."

Given the incompatibility of violence with human rights and freedom, one might suppose that the U.N.'s concern with human rights would recognize the method of violence in internal and external affairs as incompatible with the Charter and destructive of human rights. With shock, one learns that in many cases the use of force and violation of human rights are not seen as a violation of the Charter relevant to U.N. bodies with responsibility for protection of human rights and

fundamental freedoms. Some violations are defined out of existence, some are simply ignored. Only a very limited class of violence and violations are deemed relevant to U.N. purposes today.

Most of the questions of human rights with which United Nations bodies have concerned themselves in recent years are of a single kind. U.N. human rights bodies concern themselves with relatively small, relatively underdeveloped, non-Communist nations, which are not members of any cohesive bloc; which are or have recently been the target of a national liberation movement with important ties to the Soviet bloc; and with countries which have sought to protect themselves by using government violence against guerrilla violence.

Relatively few governments meet all these criteria for attention. There are many small developing countries, but most are protected by their membership in powerful blocs. Furthermore, not all small developing countries are the active objects of revolutionary violence, and not all targeted governments resist violent assaults. Some simply succumb.

Most of the human rights violations singled out for attention in the United Nations are Latin -- not, certainly, because the greatest human rights violations of our century have taken place there. The Holocaust, Gulag, Pol Pot's genocidal utopia, Vietnam's labor camps, Idi Amin's slaughterhouse -- have won for Europe, Asia and Africa records of human rights violations unmatched in the Western Hemisphere. Nonetheless, as our Venezuelan colleague noted in this Committee last week, United Nations human rights bodies show a "special taste for those small countries which are apparently lacking in strategic resources of wide political audiences."

An Islamic or African country which becomes the target of violent guerrilla assault would be protected against United Nations human rights action by its involvement in a web of protective alliances -- regional organizations, the Non-Aligned Movement, the G-77, or some other bloc.

Even though their records of internal repression and external aggression are clear and well-known, countries linked to the Soviet Union are protected against charges of human rights violations by their membership in the Soviet bloc which, like other blocs, functions as a mutual protection society. The fact that many members of the Soviet bloc are also members of other groups extends their access and influence. Cuba's status as President of the Non-Aligned Movement symbolizes this pattern of overlapping membership and extended influence.

There is another reason that the Soviet Union and its bloc are successful in avoiding the attention of United Nations human rights groups. It is because they have been very successful in selling, here in the United Nations and in influential circles outside this body, a perverse doctrine of violence and human rights which stands traditional conceptions on their heads: where traditionally states have been defined as having a monopoly on the legitimate use of violence, now liberation movements are seen as having a monopoly on the legitimate use of force.

According to this upside-down view of human rights and self-defense, revolutionary violence -- that is, violence committed by those linked to the Soviet Union and its clients -- is defined as a just protest against an unjust society. Such violence may result in dead civilians, bombed school children, widespread economic destruction, but it will not be considered a violation of human rights if it is committed in the name of revolution against any society whose citizens do not enjoy all the rights listed in the Universal Declaration, that is, most of the societies in the world today. Whole peoples may have their homes and villages burned, their crops destroyed, their cattle killed, may be forcibly "relocated" in camps without provoking any interest or activity in the Third Committee or the Human Rights Commission. People may be invaded, conquered, herded into cities, driven over borders, their fields tainted with toxins, their air poisoned with yellow rain, without them being regarded as victims of human rights violations. They may have their electric plants dynamited, their coffee crops destroyed, their leaders murdered, without being regarded as victims of human rights violations -- providing that the perpetrators of this violence, of these gross abuses, are "progressive" national liberation movements, armed, trained, serviced by the professional purveyors of revolutionary violence. Only governments that seek to repress this violence will be cited for human rights violations.

In a recent speech before this Committee, which singled out the governments of Central America for special negative mention, a colleague asserted: "My government opposes violence wherever it occurs, as a method to solve political or social problems. But at the same time we cannot accept the argument that an oppressed people striving for legitimate social and economic reforms of its own society should be automatically classified as terrorists."

Whether a given group is or is not classified as terrorists would, one should think, depend on whether they use terror against civilian populations. During the past year the economy of El Salvador has been devastated, the poor people of that poor nation deprived of the fruits of their labor by repeated, carefully targetted guerrilla attacks -- a strange method, indeed, for promoting social and economic reform, but a familiar method of conquest.

Small bands of violent men have discovered in our times that, by the skillful use of violence and propaganda, they can win power against overwhelming numbers. They begin with terror which has been aptly defined as "the deliberate, systematic murder, maiming and menacing of the innocent to inspire fear in order to gain political ends." Such deliberate use of terror to produce a "revolutionary situation" has become the preferred tactic of contemporary revolutionary cadres.

"The process," wrote one student of revolutionary violence, "begins with a small group of individuals working to destabilize a society through assassinations and other violent acts. These are often described as 'pointless,' but in fact they have very astute purposes: intimidation of the general population; destruction of the economy by frightening off capital and skilled workers; and a demonstration to possible political opponents that 'these madmen will stop at nothing'."

Neither the method nor the goal have changed since they were described in a Revolutionary Catechism by nineteenth century nihilists. They are: "to use every means in ((their)) power to foster and spread those wrongs and those evils which will finally break the patience of our people and force them to a general revolt."

In our times, Carlos Marighella's Minimanual of the Urban Guerrilla provides a graphic description of this process of violence, whose aim is to create a situation "where the government has no alternative except to intensify repression. The police roundups, house searches, arrests of innocent people and of suspects, closing off streets, make life in the city unbearable." Marighella continued, in the wake of these repressive measures, "the general sentiment is that the government is unjust, incapable of solving problems, and resorts purely and simply to the physical liquidation of its opponents." Eventually, as repression grows, "the political situation in the country is transformed into a military situation in which the militarists appear more and more to be the ones responsible for errors and violence, while the problems in the lives of the people become truly catastrophic." During this critical period, Marighella counselled, the guerrilla "must become more aggressive and violent, resorting without letup to sabotage, terrorism, expropriations, assaults, kidnappings and executions, heightening the disastrous situation in which the government must act."

This now familiar cycle is accompanied today by a chorus of moral outrage from a self-designated constituency of conscience which deplores all efforts of governments and societies to defend themselves against guerrilla violence.

"Demands for change," said our U.N. colleague, speaking of the beleaguered countries of Central America, "have been met with terror and violence by government forces and groups of the extreme right, supported or condoned by the state power."

One wonders, which demands for change did he mean? Did he mean those communicated by the specialists in violence that destroyed 34 bridges and 145 electrical transmission towers in El Salvador? Or was he thinking of the businesses closed by guerrilla action -- putting more than 18,000 Salvadorans out of work -- or perhaps the 700 buses destroyed? He could not have been referring to the kidnapping of two soccer teams and 120 spectators from a rural stadium in Salvador, for that was reported in the press only today.

Probably, he was not speaking of El Salvador at all, since that country's democratic elections and broad land reform, carried out under external assault, must inspire admiration.

Furthermore, it is presumably clear to all the world that demands for change can be asserted through Salvador's democratic processes by anyone willing to use the method of consent rather than that of violence.

Perhaps our colleague was talking about Guatemala -- Salvador's neighbor, which as recently as three years ago had a high growth rate, a growing middle class and good economic prospects -- until it, too, became a target of guerrilla violence. This violence was conducted as usual by small guerrilla bands, advised, armed and otherwise assisted by Cuba and bloc countries, infiltrated into that country by well-known routes for the purpose of wreaking violence, sowing destruction, provoking ever-greater repression, fear, alienation, and for the purpose, finally, of coming to power.

The method of violence is applied on a daily basis in Guatemala, where guerrillas make their demands for social justice by bombing bridges, killing provincial police and judges, attacking municipal buildings, burning gas stations, telephone and telegraph installations, mining roads, shooting shop owners, kidnapping businessmen, terrorizing school girls, slaying Indian villagers who resist paying "war taxes" and engaging in an ongoing total war against the Guatemalan people. No reasonable, fair observer could imagine that the method of violence used by Guatemala's guerrillas is merely a reaction to government provocation. It is a brutal, ruthless campaign conducted by specialists in violence determined to seize power and govern by force.

Perhaps in talking of government repression and provocation of a population, my colleague was really thinking of Poland, where the government has used heavy-handed military force against an unarmed population, repressing all moves toward free association, denying all liberties, using the power of the State against the bare hands and simple courage of Solidarity.

He could not really have meant that a society has no right of self-defense against armed bands in its midst: that Uruguay had no right of self-defense against the Tupemaros; that the Federal Republic of Germany had no right to defend itself against the Bader Meinhoff gang; that the Italian government has no right to defend itself against the Red Brigades; that the government of Spain has no right to defend itself against Basque terrorists; or Salvador has no right of self-defense against the guerrillas who boycott its elections, that attack its co-ops, murder its peasants; or that the people of Guatemala, who have long suffered under harsh, corrupt governments, must now passively accept new tyrants who, if one can judge by their Nicaraguan comrades-in-arms, will be still more repressive.

The specialists in violence have correctly understood that terrorism and guerrilla war pose extremely difficult problems for organized societies. They do provoke a spiral of repression, chaos, murder. Even strong, sophisticated governments and people, experienced in both the use and restraint of power have difficulty controlling organized political crime.

But a conception of human rights that ignores the guerrilla's war against civilians and focuses exclusively on a government's reprisals is no conception of human rights at all. It is a method of politics which seeks victory for a certain kind of Soviet-sponsored "liberation."

Morally serious persons cannot maintain that terror wreaked on a civilian population by revolutionary movements is liberation, while violence committed by a government responding to that guerrilla is repression.

Morally serious persons cannot maintain that national liberation movements have the right to use violence against civilians, economies, societies and governments and that those societies have no right to defend themselves; that violence conducted in the name of revolution is legitimate; that violence used by governments and societies to defend themselves against guerrillas is illegitimate.

It will not wash. The facts are clear -- the method of violence is the method of tyranny in internal affairs and aggression in international relations. Modern tyrants use violence against their own people and violence against their neighbors.

In our times, movements which seek total power by terrorist violence, govern by violence.

The continued widespread abuse of human rights in our world constitutes a challenge to all peoples and governments committed to promoting human rights and fundamental freedoms. A serious approach would take account of all deprivations of liberty, law and security committed by organized political groups. A serious approach to human rights would take account of the use of lethal toxins and gases against the H'Mong, of the tens of thousands of Vietnamese imprisoned and held under brutal conditions in labor camps far from home; of the continuing human hemorrhage of refugees from Southeast Asia's Communist nations into the China Sea. A serious approach would take account of the repression and banning of Solidarity, the continuing imprisonment of most of its leaders; of the denial of free association, collective bargaining, free speech, throughout Eastern Europe. It would take account of the Soviet Union's continuing, massive, flagrant violation of the rights and fundamental freedoms of the Afghan people, of the repression of the Helsinki Watch Committee, of the brutal imprisonment of Anatoly Scharansky, of the abuse of psychiatric treatment, the denial of the right to emigrate, and the repression of Andrei Sakharov.

A serious concern with human rights would also require taking account of the flight of more than thirty thousand Ugandans across the border to Rwanda, and of repression in other African states where freedom is denied and due process of law violated. It would take account of Apartheid in South Africa.

A serious concern with human rights would take account of the widespread denial of legal and social rights of women and of "untouchables."— And, in the context of all those problems, a serious concern for human rights would doubtless also take account of the deprivation of human rights by some groups and governments in some Latin American republics. It would take account of Chile's exiles, Argentina's desaparecidos, of Right as well as Left violence in Guatemala and Salvador, and also of the harsh treatment of

Nicaragua's Miskito, Suma and Rama Indians, its repression of press freedom and of the large number of political prisoners in Cuba -- some of whom have their sentences arbitrarily resented in clear violation of Cuba's own laws and of civilized practice.

The people and government of the United States believe in the method of consent, and we deplore all, I repeat all, recourse to the method of violence in internal and international affairs. We urge, even demand, that societies under attack practice the disciplines of freedom and law even as they defend themselves.

The United States is willing and ready to join with other nations in dealing seriously with these serious problems. / Human rights and fundamental freedoms should be our goal and standard, rather than a political weapon used selectively by the strong against the weak, the organized against the unorganized. We will not be a party to the further perversion and selective application of these values. / We will not contribute our votes to strengthening those who seek political gain by the method of violence.

We will join our colleagues in any serious, reasonable and fair effort to protect and promote human rights. We are ready when you are.

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RESS RELEASE

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Press Release USUN 185-(82)
December 15, 1982

Statement by Carl Gershman, United States Representative, in the Third Committee, on Item 12, the Report of the Economic and Social Council, December 9, 1982

Mr. Chairman, since this will be the last formal speech by a representative of the United States in the Third Committee, I would like to take this opportunity to commend you for the manner in which you have presided over our meetings. As we had anticipated, you have been a strong, judicious, and always unflappable chairman, at once firm and flexible, unyielding on principle and balanced in your efforts to accommodate often conflicting viewpoints. I think it is also worth noting on this occasion that during the course of our deliberations, your country, Brazil, held elections in which almost 60 million people participated -- a true vindication of the democratic idea.

Respect for this idea is closely bound up with the rule of law in human affairs. "Law," the great Brazilian statesman Ruy Barbosa once said, "is what separates public morality from barbarity. When the law ceases to protect our adversaries, it virtually ceases to protect us. A primary characteristic of law is the shelter it affords the weak against the strong, the minority against the majority, right against self-interest, principle against opportunism." He added that "justice can accomplish more than armies when her trustees are steadfast."

Remaining steadfast to the principle of justice is surely not easy in a world that is buffeted by conflicting political forces and influenced by ideologies that make claims in the name of justice, but do so in opposition to -- not in support of -- the democratic idea. The very idea of human rights has become clouded by interpretations that confuse and mislead and do not contribute to the expansion of human freedom but justify, however subtly, its contraction and the rule of force.

There is, for example, the distinction between individual and so-called collective rights. Implicit in this distinction is the view that liberty, meaning political and civil rights, is counterposed to equality, meaning social and economic development,

and that some systems emphasize and seek to advance one as against the other. From this flows the view that under totalitarian systems people have equality even if -- in fact, precisely because -- they are deprived of liberty.

But in what sense is this possible? People can hardly be considered equal if they are denied participation in power and prevented from organizing themselves into associations, such as parties or unions, which allow them to compete for a share of power. Nor can they be considered equal if they are denied free access to information, which is surely one of the most important goods in the contemporary world. Nor can they achieve very much in the way of development if they live under a system of political slavery.

Experience, if not common sense, demonstrates that liberty is a necessary condition of productive efficiency. A totalitarian system, the philosopher Leszek Kolakowski writes, is bound to be chronically sick in terms of the production of wealth since it operates with built-in information barriers, is burdened with an obsessive secretiveness, uses the criterion of political servility in promoting managerial cadres, and doesn't respond to the needs and wishes of the population except under the threat of desperate revolts. "Having concentrated an enormous power without responsibility," he writes, "--an accumulation of power exceeding anything known in history -- the (totalitarian) ruling class, by virtue of its very position, generates permanent mismanagement and huge waste, and the attempts to set up the all-encompassing planning system end fatefully in all-pervading chaos." Under such a system, the working class, while adulated in political slogans, lacks both the moral and economic incentive to help the ailing economy. This would seem to be a sure prescription for economic disaster.

Liberty, therefore, is not an obstacle to development but a precondition for it. If it is given a preeminent place in a system of rights and values, it is not merely because freedom is a precious treasure without which life is empty, but also because it is the condition within which other values and goals, including economic and social progress, can be fulfilled.

In a word, the party of liberty does better by equality than the party of equality. The pursuit of so-called collective rights at the expense of liberty will not lead to more equality but less, regardless of the ideological justifications that are advanced in their behalf.

Yet these ideological justifications are advanced, invariably on behalf of an idea of justice that is so warped that it calls despotism a form of liberation and sanctifies armed struggle as the means to achieve this blessed state. Just yesterday we heard from a representative of a State that is a chief proponent of this perverse idea, a State that has elevated revolutionary violence to a constitutional principle. In its constitution, this State accords unto itself the "internationalist right and duty" to "help...the peoples that struggle for their liberation....," "espouses the principle of...the combative solidarity of the peoples," and

"recognizes the legitimacy of wars of national liberation...and the right of the peoples to repel imperialist and reactionary violence with revolutionary violence."

But what kind of liberation is intended here? Certainly it has nothing to do with human freedom since the state in question allows no political opposition or public dissent, prohibits freedom of speech and freedom of assembly, rigidly controls the press, the schools, the unions, and the judiciary, holds hundreds -- perhaps thousands -- of political prisoners, and jails members of the artistic community for expressing their views. Its very constitution is explicit on this score, since it declares that "none of the freedoms which are recognized for citizens can be exercised contrary to the existence and the objectives" of the state.

Mr. Chairman, all of these restrictions are justified in the name of a higher principle. Sometimes it is called liberation. Sometimes it is called the rights of the collectivity. Sometimes it is called the struggle to end exploitation and human misery and to replace "bourgeois democracy" with a higher form of human existence. But there is rhetoric and there is reality. There are myths and there are facts.

Yesterday, in the course of his lengthy attack upon my own and a number of other states, the representative of Cuba treated us to some well-worn myths about the success of the Cuban Revolution. He said that the Revolution had created the economic and social basis for democracy in Cuba, and that as a result, "things have now become persons."

The myth of liberation -- which is held up to the world as a model of development -- is based upon the view that before the Revolution, Cuba was a backward, impoverished society that has achieved miraculous growth under the current regime. But the truth is very different.

In 1958 Cuba was one of the three wealthiest countries in the Americas, south of the United States. The degree of social and economic advancement at that time is reflected in a number of interesting statistics.*

In 1958 the 6.6 million people of Cuba had twice as many telephones as the 19 million people of the 6 Central American nations, the Dominican Republic, and Haiti combined. Its people had nearly twice as many automobiles as the people of these other 8 nations combined and 6 times as many television receivers. There were 58 different daily newspapers in Cuba with a circulation of 800,000 -- larger than the combined circulation of all the newspapers in the other 8 countries.

The figures are not different in the fields of public health and education. There were, for example, twice as many doctors in Cuba as

*I am indebted to Professor Norman Luxemburg for his work in this area.

in all of the other 8 neighboring nations combined. The infant mortality rate, 32 per thousand, was already one of the best in the world, far better than anywhere else in Latin America and better even than that of West Germany, Italy, and Spain. The literacy rate was 78 percent, as opposed to 22 percent a half a century earlier.

Since 1958, the trend has been decline or stagnation in many of these areas in Cuba, and in some cases modest advances, as opposed to steady and impressive growth in the neighboring countries. Using official Cuban sources, the economist Alberto Recarte reached the conclusion in his book, Cuba, Economia Y Poder, that there has been a decrease of about 3 percent in real per capita income in Cuba since 1958. In fact, Cuba is the only country in the Americas, and one of the few in the west, that has a rations system for virtually all basic consumer goods. By 1975, Costa Rica and Panama had passed Cuba in real per capita income, and the Dominican Republic -- which had two and a half times less per capita income in 1963 was nearly equal with Cuba by 1975.

Moreover, the distribution of consumer goods rose sharply in all Caribbean nations except for Cuba. For example, by 1976 Puerto Rico had ten times as many cars as did Cuba -- it had slightly over half in 1958 -- and the Dominican Republic, which had fewer than seven percent in 1958, had almost caught up by 1976. The per capita number of telephones actually declined in Cuba over this period -- from 3.9 per 100 persons to 3.3, unlike the neighboring countries where the number increased sharply. The ratio of doctors to inhabitants also increased greatly in the neighboring countries -- in the Dominican Republic by a factor of three and a half and in Costa Rica by a factor of nearly two, whereas in Cuba the ratio remained stagnant. Between 1959 and 1970, the infant mortality rate declined in the neighboring countries, but actually increased -- to 38 per 1,000 births -- in Cuba. Since that time there has been an improvement, according to official Cuban statistics.

There continue to be very rich and very poor in Cuba, despite revolutionary pretensions. A recent British study concludes that in Cuba, "wage differentials are approximately as wide as in the West." And this fails to add in the perquisites of the political elite - fancy houses, cars, special stores - nor the suffering of the tens of thousands of gusanos - worms - whose only sin is wanting to leave the "workers paradise" and whose punishment is to be forced into abject poverty by the revolutionary elite who cannot stand this proof of their failure.

Mr. Chairman, these figures cannot be accounted for by the end of U.S. investments after the Revolution. U.S. investments were actually declining before the Revolution -- from well over \$1 billion in the late 1920's to \$849 million in 1958. Cuban GNP nonetheless grew during this period, from \$1.1 billion in 1946 to \$2.3 billion in 1957. Cuban capital was also acquiring control of Cuban industries and investments abroad. Thus, the sugar industry, accounting for about one-fourth of Cuba's GNP, was coming almost completely under Cuban ownership. Most of the sugar mills, which as a result of the

Great Depression had come under the control of U.S. capital, had been bought up by Cuban capital by 1950. And there was virtually no foreign assistance involved. Today, the Soviet Union gives Cuba handouts equal to over 25% of its GNP, just to keep its economy from going under.

Mr. Chairman, I could give many more figures, but I will stop here. The point is clear. The Revolution did not usher in a period of light and prosperity after a period of darkness and impoverishment -- but more accurately interrupted a trend of social and economic expansion. It did so also at the expense of political and civil liberties, which were sacrificed presumably to promote the "collective rights" of social and economic progress.

The point is especially significant because this false idea of progress is used to justify so much -- in particular armed struggle for this form of so-called liberation and a version of proletarian internationalism that might better be called proletarian interventionism.

Before accepting the claims made on behalf of the Revolution, it is best to look at the facts and to assess the situation as opposed to ideological claims. As Jose Marti once said, "Tyranny is the same in all its shapes, even though sometimes it dresses in handsome names and grand deeds."

We live in a century of betrayed revolutions and failed utopian dreams. Many crimes have been committed in the name of high ideals. But again to quote Marti, "Ideology never excuses crime and the barbarous refinement of crime."

The best course, the safest course, the course that improves the well-being of real people is to respect individual human rights and not to force people into some rigid revolutionary mold in the name of some utopian, all-transforming ideology. In the end, there can be no liberation without liberty, and there can be no hope for mankind if freedom is not preserved and defended.

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Part 3

Disarmament



UNITED STATES MISSION TO THE UNITED NATIONS

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PRESS RELEASE

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Statement by The Honorable Eugene V. Rostow, United States Representative to the 37th Session of the General Assembly of the United Nations, in the First Committee, October 27, 1982

Mr. Chairman, the United States Delegation is gratified to welcome you, Ambassador Gbeho, as Chairman of this important Committee. We congratulate you warmly on your election. I wish, as well, to congratulate the Vice Chairmen and the Rapporteur. I also wish to congratulate Ambassadors Alva Myrdal and Alfonso Garcia-Robles, the recipients of this year's Nobel Peace Prize. I know that we and the two laureates share a common, fundamental objective -- a peaceful world. We have not always agreed as to the best means of attaining this objective, but we have always respected the views of the Nobel Prize winners.

It is an honor for me to present again the views of my government on the issues before the First Committee.

I start with a proposition some may find paradoxical -- the thesis that the last year has been one of singular achievement in the quest for peace. You may well ask how we can claim progress towards peace for a year during which there were so many acts of aggression and so many stormy exercises of the inherent right of self-defense protected by Article 51 of our Charter; a year which witnessed so many episodes of frustration and failure in the functioning of the Security Council and other systems of collective security.

We make this paradoxical assertion because the climate of world opinion on the vital questions of war and peace has changed profoundly during the year, in response to the impact of events and the leadership of many who have spoken before the Security Council, the General Assembly, and this Committee. In this connection I refer particularly to a number of important statements made at the Second UN General Assembly Special Session on Disarmament, and to the Secretary General's significant and forward-looking Report to the General Assembly of 7 September 1982, A/37/1, and his fine statement before this Committee on 26 October 1982.

During the last year there has been a mutation in the way the people of the world perceive what is happening. They have come to realize that the Secretary-General is right in pointing out that "we are embarked on an exceedingly dangerous course", which he characterizes as "perilously near to a new international anarchy". He reminds us that the failure of the League of Nations to develop an effective system of collective security was a major cause of the Second World War, and that we are moving along the same path again. "Governments that believe they can win an international objective by force are often quite ready to do so," he writes, "and domestic opinion not infrequently applauds such a course. The Security Council, the primary organ of the United Nations for the maintenance of international peace and security, all too often finds itself unable to take a decisive action to resolve international conflicts and its resolutions are increasingly defied or ignored by those who feel themselves strong enough to do so." The Secretary General reminds us that "our Charter was born of six years of global agony and destruction. I sometimes feel," he writes, "that we now take the Charter far less seriously than did its authors, living as they did in the wake of a world tragedy. I believe, therefore, that an important first step would be a conscious recommitment by governments to the Charter."

The Government of the United States supports the thrust of the Secretary General's analysis and of his prescriptions for improving the effectiveness of the peace-keeping institutions of the United Nations. As President Reagan said before the General Assembly on June 17 of this year:

"I have come to this hall to call for international recommitment to the basic tenet of the UN Charter that all members practice tolerance and live together in peace as good neighbors under the rule of law, forsaking armed force as a means of settling disputes between nations. We ask you to reinforce the bilateral and multilateral arms control negotiations between members of NATO and the Warsaw Pact and to rededicate yourselves to maintaining international peace and security, and removing threats to peace.

"We who have signed the UN Charter have pledged to refrain from the threat or use of force against the territory or independence of any state. In these times when more and more lawless acts are going unpunished -- as some members of this very body show a growing disregard for the UN Charter -- the peace-loving nations of the world must condemn aggression and pledge again to act in a way that is worthy of the ideals that we have endorsed. Let us finally make the Charter live."

"A conscious recommitment" to the principles of the Charter cannot in our view be achieved merely by passing resolutions, however worthy. Simple resolutions endorsing the Secretary General's recommendations

could be of utility. But what is needed now, far more than resolutions, is the will to enforce the Charter as it is. The Charter is a document of constitutional character. Its commandments do not need clarification; they need to be obeyed. Resolutions attempting to restate or amplify the key provisions of the Charter might well dilute their authority. As I was privileged to point out in this Committee on October 21, 1981, "unless we restore general and reciprocal respect for the principles of Article 2(4) of the Charter, the slide towards anarchy will engulf us all". To make the Charter effective, I said then, will not be a simple matter to be settled on the cheap, and without tears. It will require effective steps to see to it that the Charter; the arms control treaties and the legally binding decisions of the Security Council are carried out and that we can verify compliance with their terms.

The first step back from the edge of the abyss is to achieve a change in the minds of men. That change -- the change that must precede effective action -- has begun to happen. Necessarily, the focus of that process must be a crusade to mobilize support for the Secretary General's thesis that we must do more than condemn aggression; we must actually -- and actively -- enforce the rules of the Charter against it. As the Secretary General points out, we must undertake to deter aggression; to seek peaceful solutions for crises in their incipency; and to defeat aggression if, despite all precautions, it should occur. Conventional war has gravely wounded civilization many times during this turbulent century; in a nuclear environment, the impact of conventional force aggression could conceivably become unthinkable..

The Secretary General's Report and the statements of many leaders which preceded it dispel a series of illusions which have done a great deal of harm in recent years. Those fallacies and illusions are all associated with the view that peace is threatened primarily by an "arms race", and that peace can be attained by arms control agreements even though Article 2(4) of the Charter is allowed to wither away. This familiar error puts the cart before the horse. As Prime Minister Thatcher said last summer during the Second Special Session on Disarmament, "It is not merely a mistaken analysis but an evasion of responsibility to suppose that we can prevent the horrors of war by focussing on its instruments. They are more often symptoms rather than causes." For too many people, the complex rituals of arms control diplomacy have become a convenient escape from the central problem -- a decline in the influence of the Charter on the behavior of states, and the fear to which this trend has given rise throughout the world. Arms control agreements can be useful in reinforcing a regime of peace; they can never be a substitute for the harsh and unremitting effort to sustain peace directly. This is the sobering and important lesson of the First and Second Special Sessions of the General Assembly on Disarmament: that arms control agreements can be of value only if they are conceived, planned, and carried out as part of an overall strategy for establishing and maintaining peace.

II.

Mr. President, the United States has set into motion during the last year a dynamic program of initiatives in the field of arms

control and disarmament. In each case these new initiatives are based on a thorough review and evaluation of the past history of the subject, and dominated by the proposition that arms control and disarmament efforts are an integral part of foreign and security policy. In his speech of November 18, 1981, President Reagan outlined our approach to four important items on the agenda -- the negotiations between the United States and the Soviet Union on intermediate-range nuclear weapons, known as INF, and those on strategic nuclear arms reductions, known as START; the negotiations on mutual and balanced reductions of conventional forces in Europe, generally called the MBFR talks; and the continuing process of discussion and negotiation stemming from the Final Act of the Helsinki Conference on Security and Cooperation in Europe. In addition, the United States has revised and revitalized its unilateral and multilateral programs for preventing the proliferation of nuclear weapons; eliminating the menace of chemical weapons; studying the feasibility of imposing further limits on the military use of outer space; and developing new and more effective measures to assure confidence and minimize the risks of war by miscalculation.

I shall now comment briefly on each of these aspects of the arms control program of the United States.

III.

The place to begin, manifestly, is with the bilateral negotiations between the Soviet Union and the United States on the reduction of nuclear arms through verifiable agreements which strengthen security and help to make stability possible. The outcome of these negotiations will affect the prospects for many other arms control efforts and, indeed, the prospects for peace itself. Success in the effort to curb and confine the nuclear weapon is indispensable to the possibility of peace. Under present circumstances nuclear arms agreements must be shaped by the principle that nuclear arsenals can be justified only if they are confined to the function of deterring aggression. To put the proposition another way, useful and constructive nuclear arms agreements presuppose that the Soviet Union commit itself to obey the rules of world public order embodied in the Charter.

It is the view of the United States Government that achieving true nuclear parity between the Soviet Union and the United States is the most important challenge before us in the field of arms control. We must reduce our dependence on these dangerous weapons. We must seek a more stable balance at lower levels of armament. The present situation is unacceptable to us.

How did the present situation arise? The answer is as regrettable as it is simple. It arose as a result of the expansionist foreign policy of the Soviet Union and the arms build-up on which it is based -- an unprecedented increase of both conventional and nuclear military forces sustained over a period of more than 25 years. During that period, the Soviet Union claimed immunity from the Charter rules against aggression, and the rest of the world tacitly accepted its

claim. That course is no longer tolerable. The process of Soviet expansion and the menace of the Soviet Union's growing military power have come to threaten the foundation of the state system. That system cannot continue to accept the Soviet practice of aggression through the use of its own forces and those of its proxies and satellites, whether organized as armies, guerrillas, armed bands, or terrorists, backed by the implicit threat of its growing nuclear forces. During the 1970s, a period when the United States nuclear arsenal was held relatively stable, the Soviet Union expanded both its intermediate range and intercontinental nuclear forces far beyond any conceivable requirements of deterrence and defense.

The size, scale and structure of the Soviet nuclear arsenal; its steady growth; and, above all, its emphasis on intermediate range and inter-continental ground based ballistic missiles are the source of the nuclear anxiety which haunts the world. Ground based ballistic missiles are more accurate and destructive than other nuclear weapons, and far less vulnerable to defenses. The Soviet advantage in this category of nuclear weapons creates the potentiality for a disarming first strike. And the consciousness of that possibility is generating currents of fear which have great political importance throughout the world.

The purpose of the American nuclear arsenal is to deter aggression against the supreme interests of the United States. The implacable growth of the Soviet nuclear arsenal suggests that the Soviet Union looks upon nuclear weapons as instruments of intimidation and coercion precisely because such weapons, if they are sufficiently numerous, create the capacity to execute a preemptive first strike. This is why the Soviet advantage in ground based ballistic missiles is politically destabilizing, and why the first objective of the United States in the field of nuclear arms policy is to eliminate this factor of instability in world politics, preferably by reasonable INF and START agreements, but by force modernization if necessary.

The START and INF negotiations must be viewed together, because the weapons with which they deal are closely related. Intercontinental weapons can, after all, be fired from the Soviet Union not only against New York or Washington, but against targets in Europe, Japan, or other places vital to the security of the United States and its allies as well.

The INF talks have now been going on for 11 months. They have been conducted in a business-like and professional atmosphere. Much progress has been achieved by the two delegations in sorting out what is important to each side, and illuminating the way to possible solutions. It is clear that a potentiality exists for accommodating the analytic concepts used by both sides. What is not yet clear is whether the Soviet Union is willing to accept an agreement based exclusively on the principle of deterrence.

In INF, the United States has proposed the complete elimination of an important class of nuclear weapons on both sides; the Soviet Union, in response, urges the elimination only of the United States weapons of

comparable military significance. Under the Soviet proposal, the Soviet Union would be permitted to have up to 300 launchers for its mobile SS-20 systems in the European part of the Soviet Union, and an unlimited number in the Far Eastern portion of that country, while the United States would be forbidden to deploy any equivalent systems. The Soviet Union also proposes a moratorium for the duration of the negotiations -- a feature of its plan designed to preserve the Soviet advantage in ground based ballistic missiles, and to remove any Soviet incentive for agreeing to serious reductions in the most destabilizing class of weapons.

The Soviet Union defends its proposal by contending that there is in fact a balance at the moment in intermediate range nuclear weapons in and near Europe, at least, and that the deployments planned by NATO would disturb that balance. The Soviet negotiations achieve this remarkable feat of arithmetic by counting all British and French nuclear weapons with the American forces; treating American bombers, submarine-launched missiles, and cruise missiles as equivalent to the SS--20; counting all American weapons as relevant, including American dual purpose aircraft located in the United States; and excluding many categories of the Soviet arsenal.

The Soviet Union has so far refused to negotiate about its intermediate range ballistic missiles in the Far East; the United States insists that the negotiations must deal with all such Soviet and American weapons -- wherever they are located. After all, the world is round, and nothing can be gained by exporting a security problem from Europe to Asia.

On October 21, 1982, President Brezhnev commented, according to TASS, that the INF talks were making "difficult progress", and that "these difficulties are rooted in the unwillingness of the United States to reach agreement...on the basis of the principle of equality and equal security".

The United States notes with interest President Brezhnev's statement that the INF talks are making progress. As I remarked a few moments ago, the United States agrees with President Brezhnev's assessment in the sense that the negotiating process is clarifying the concepts used by both sides, and revealing patterns of possible congruence in their positions. Furthermore, we welcome the fact that both sides accept the principle of equality as the basis for a fair agreement.

But we cannot agree with President Brezhnev that the present position of the Soviet Union in the INF talks is one based on the principle of equality.

The American concept of equality is defined with precision -- zero on both sides for the most destabilizing intermediate range ground based ballistic missiles.

The Soviet Union, however, uses at least four quite different definitions of equality simultaneously -- equal reductions on the part of the Soviet Union and the United States; an equal level of force,

measured in packages of weapons of different destructive capacities, sometimes between the Soviet Union and the United States, sometimes between the Soviet Union and NATO. Most often, the Soviet Union uses the term "equal security" to mean that the world must acknowledge its claim of a right to possess a nuclear arsenal equal to the sum of all the other nuclear arsenals in the world. This is a claim for hegemony, not equality. The nuclear arsenals of Great Britain, France, and China exist to protect the ultimate sovereignty of those nations. Those weapons are not under American control. These arsenals are entirely defensive in character; given their size, they could not be used for any conceivable act of aggression against the Soviet Union. There is no basis, therefore, for the claim that such arsenals have any role in bilateral negotiations between the Soviet Union and the United States. Sometimes representatives of the Soviet Union say that "the mutual security of the Soviet Union and the United States is indivisible". This is a suggestive formulation of the problem of defining equality. Thus far, at any rate, it turns out to be as elusive as the others.

Achieving equality between the Soviet Union and the United States on the basis of the principle of deterrence, with primary but not exclusive emphasis on equality in the most destabilizing categories of weapons, would in itself be a major political event, and a step of genuine importance in the quest for peace.

The Soviet-American talks on intercontinental nuclear weapons are, of course at an earlier stage than the INF talks. Their atmosphere is also serious and business-like.

The United States position was outlined in President Reagan's speech at Eureka College on May 9, 1982. Its essential idea is that of equal ceilings at much lower levels of force -- ceilings that would strengthen deterrence and promote stability by significantly reducing the Soviet lead in ICBMs. Coupled with the elimination of the existing intermediate-range ballistic missiles, as proposed in the INF talks, such a result would enable the United States to maintain an overall level of strategic nuclear capability sufficient to deter conflict, safeguard our national security, and meet our commitments to allies and friends.

To achieve this goal, the President announced a practical, phased approach to the negotiation, like the procedure being used in the INF talks. It is based on the principle that the two arsenals should be equal both in the number of weapons and in their destructive capacity. "The focus of our efforts," the President said, "will be to reduce significantly the most destabilizing systems -- ballistic missiles, the number of warheads they carry and their overall destructive potential." While no aspect of the problem is excluded from consideration, and the United States will negotiate in good faith on any topics the Soviets wish to raise, the United States proposes that the first topic to be considered in the negotiations should be the reduction of ballistic missile warheads to equal levels at least one-third below current numbers. Both ground-based and submarine-launched ballistic missiles are included in this proposal.

No more than half these warheads would be deployed on land-based missiles. This provision alone should achieve substantial reductions in missile-throw weight, a reliable measure of the destructive power of nuclear weapons.

In a second phase, closely linked to the first, we will seek equal ceilings on other elements of United States and Soviet strategic forces, including equal limits on ballistic missile throw weight at less than current US levels.

In both START and INF the United States has made it clear that verification measures capable of assuring compliance are indispensable. For those provisions that cannot be monitored effectively by national technical means of verification, we will be proposing cooperative measures, data exchanges, and collateral constraints that should provide the necessary confidence in compliance. The Soviet Union has indicated that it will be prepared where necessary to consider cooperative measures going beyond national technical means. This is an encouraging sign. Without satisfactory verification provisions, meaningful agreements will be impossible to achieve.

The Soviet Union has attacked our START proposals as unfair, on the grounds that they call for unequal reductions -- indeed, that they call for "unilateral Soviet disarmament". This is not the case. Each side now has approximately 7500 ballistic missile warheads. Under the American proposal, each side would have to reduce to no more than 5000, of which no more than 2500 could be on ICBMs. True, the Soviet Union would have to dismantle more ICBM sublimit, while we might have to dismantle more submarine-based missiles. But that is the point. There is nothing inequitable about an equal ceiling which strengthens deterrence and stability.

The Soviet position in START, as Soviet spokesmen have made clear in public statements, consists of two parts, a proposal for a moratorium, and a series of reductions and restrictions on modernization which would result in preserving the present Soviet advantage in heavy, accurate, swift, and extremely destructive ground based missiles. The Soviet Union seems to treat "stability" as a quantitative, not a qualitative problem, and offers no incentive to move away from destabilizing systems, and it would not lead to substantial reductions in the key indicators of destructive potential. If the INF and START talks are successful, the huge Soviet advantage in ground-based ballistic missiles will be eliminated. These alone are the weapons which "defy deterrence". If the Soviet Union accepts nuclear arms control agreements based on the principle of "deterrence only", which is the heart of our negotiating position, a Soviet first strike would be impossible. Then -- but only then -- nuclear tension would diminish.

IV

In President Reagan's statement on arms control of November 18, 1981, he spoke of the importance which we attach to progress in the Vienna negotiations on mutual and balanced force reductions in Europe -- the

so-called MBFR negotiations. As all of you know, these negotiations, underway for almost a decade, have been bogged down primarily as a result of Soviet intransigence over acknowledging exactly how many Warsaw Pact forces there are in the area of reductions to be covered by a treaty. The Soviet view applies the principle of caveat emptor with a vengeance. Meaningful progress toward the established goal of reductions to equal levels is hardly possible if we cannot agree on the number of forces now deployed by each side -- the basis needed to negotiate the reductions. Unless both sides are satisfied about the adequacy of the data used in the negotiation, it is hard to imagine how an atmosphere of trust can be expected to develop.

The West has taken a new initiative in moving the MBFR negotiations forward. In July the West formally tabled a draft MBFR treaty, embodying a new, comprehensive proposal designed to give renewed momentum to the negotiations. The new proposal highlights the primary Western objective in these negotiations, which is the lowering of tensions in Central Europe through a reduction in conventional forces, and the establishment of parity at lower force levels in the form of common collective ceilings on the military manpower of each side. This proposal, tabled in the form of a draft treaty, goes far to meet Eastern concerns, and underscores Western seriousness and willingness to bring about militarily significant reductions in Central Europe. We can only hope that the Soviet Union and its allies will understand the significance of the Western draft treaty and respond in a positive way.

At this point, let me add a brief note about CSCE and the Madrid Meetings, since the CSCE process is decidedly relevant to the overall climate for arms control efforts. Like the UN Charter, the Helsinki Final Act recognizes that basic human rights and fundamental freedoms are an essential element in the overall equation that defines security and cooperation between States. The United States is committed to the Helsinki Final Act and to the CSCE process in its entirety. As part of this commitment, we seek balanced and substantive improvements both in the implementation of previously made agreements and in strengthening the provisions of these agreements. That was our intent when the Madrid Meeting first convened two years ago, and that will be our intent when it resumes on November 9. Unfortunately, however, events in Poland and the brutal intensification of repression in the Soviet Union clearly indicate that other states do not share our commitment to the integrity of the process begun at Helsinki. This will make progress at Madrid extremely difficult.

Another important arms control challenge facing the international community is the threat of the spread of nuclear weapons. The United States and the Soviet Union have assumed special responsibilities to work together in order to limit and reduce nuclear arms. The United States has been trying to carry out that responsibility through a long series of nuclear arms control proposals, starting in 1946. It will continue to do so. But the problem of non-proliferation is not merely one of negotiating nuclear arms control agreements between the Soviet Union and the United States. The issue runs deeper. Every state, nuclear and non-nuclear alike, has the same interest in preventing

nuclear proliferation. A world of numerous and dispersed nuclear weapons would be unstable and unpredictable. As Secretary Shultz said to the General Assembly a month ago, "The threat of nuclear proliferation extends to every region in the world and demands the attention and energy of every government." International cooperation in non-proliferation is essential if we are to confront this major threat to international peace.

The IAEA and the NPT are the most universally accepted instruments of non-proliferation policy and deserve continued broad support. They cannot alone guarantee the world against nuclear proliferation. But they are indispensable weapons in the effort.

Like a number of other international institutions, IAEA has recently been made the victim of a damaging attack. Some member states have attempted to use the agency as a forum for political warfare. The procedures used in these deplorable episodes are contrary to the Charter and the statutes of each of the agencies involved. The United States and a number of other nations are resolved to resist this trend as a major threat to the efficacy of our international institutions. All that has been achieved in nearly 40 years of devoted effort is imperiled by such short-sighted and illegal behavior. The United States calls on all members of the United Nations to join in protecting -- and strengthening -- these invaluable international resources, which are and must remain universal in their reach.

The US continues its efforts to seek wider acceptance of the NPT, and earlier this month in Washington we were pleased to welcome Uganda into the ranks of NPT parties -- the 119th country to recognize the NPT as an important element of international security.

The United States continues to believe that nuclear weapon-free zones can, under appropriate conditions, enhance regional security. The Treaty of Tlatelolco has contributed significantly to the prospects for longterm security in Latin America, and we remain hopeful that progress can be made towards its full entry into force throughout the region. We believe that nuclear weapon-free zone arrangements could contribute to the security and peace of other regions as well. We commend efforts toward this end, and would urge the relevant countries to explore more actively the possibilities for progress in this area.

Mr. Chairman, I should like to turn now to a subject to which my Government attaches major importance -- the matter of chemical weapons, their use, and efforts to ban them. When I spoke to this body last year, I underlined the deep and continuing concern of my Government over the use of chemical warfare in Southeast Asia and Afghanistan. Since that time even more compelling evidence of this activity has come to light. The United States brought this new evidence to the attention of the United Nations in March of this year in the form of a report which compiled all of the evidence we had before us into a single document. The conclusions contained in that report are unassailable: that selected Lao and Vietnamese forces, under direct supervision of Soviet personnel, have used lethal chemical weapons--including prohibited toxins--since 1976 at least; and that Soviet forces in Afghanistan have used a variety of lethal and non-lethal chemical agents since the December 1979 invasion.

Since the release of this report, others have conducted their own investigations and have come independently to similar conclusions. The Canadian Government, for example, recently submitted a report to the United Nations which cited further evidence of the use of such lethal chemical substances in Southeast Asia. I regret to say that such use continues. My own government has obtained further significant evidence of such use, which we will shortly submit to the United Nations. Finally, there is the United Nations' own group of experts, whose report on this subject we expect before the end of this Assembly session. Their task is not an easy one. As President Reagan stressed this summer in his address to SSOD II, therefore, we urge the governments of the Soviet Union, Laos, and Vietnam to grant full and free access to the areas in which chemical attacks have been reported. Ending the use of these horrible weapons should be given the highest priority by the international community. Violations of existing legal constraints have a negative impact on the entire arms control atmosphere.

It is against this backdrop that efforts have continued in the Committee on Disarmament to develop a convention which would ban the development, production, and stockpiling of chemical weapons. Is it any wonder that the United States, along with many other delegations, insists that such a convention contain effective verification provisions? Is it any wonder that the Committee is devoting so much careful consideration to this critical aspect of a convention? We only wish that it had been possible to make more progress on the matter this year.

Many of you, no doubt, recall that in June, when Foreign Minister Gromyko appeared before the General Assembly's Second Special Session devoted to Disarmament, he unveiled a new Soviet proposal on chemical weapons, in the form of "basic provisions" for a draft convention. Part of that draft convention addressed the issue of verification in terms which suggested that the Soviet Union might now be prepared to accept systematic international on-site inspection in certain circumstances. This appeared to be an interesting and constructive step. Most of us believe that systematic international on-site inspection, which cannot be vetoed, is essential to the verification of a ban on chemical weapons. But when our delegation to the Committee on Disarmament's summer session -- together with many others -- sought to obtain elaboration from the Soviet delegation about their own proposal, we were met with equivocation and evasion. We hope and expect that a more constructive attitude will prevail at the next CD session.

Mention of the Committee on Disarmament leads me to discuss another issue, important to all of us, which has preoccupied the Committee for many years. This is the question of a comprehensive nuclear test ban.

First of all, let me repeat here what I said earlier in the year to the Committee on Disarmament on this question: a comprehensive nuclear test ban remains a longterm United States arms control objective. We do not believe that, under present circumstances, a CTB

could help to reduce the threat of nuclear war. Furthermore, the verification of such a ban remains a serious problem for us. As yet we see no definitive solution. Thus we proposed that the verification aspects of the nuclear test ban problem be discussed in a working group of the Committee on Disarmament, a proposal which ultimately won approval of the Committee.

What happened next is instructive. The Soviet Union and its allies having agreed to the mandate for the working group sought to obstruct effective work in the group. Then it put forward the proposition that the working group had fulfilled its mandate.

In his speech before the General Assembly, Foreign Minister Gromyko called for the negotiation of a comprehensive nuclear test ban treaty and, in the meantime, proposed a moratorium on all nuclear explosions. The Foreign Minister has also tabled a draft treaty for our consideration, as well as draft resolutions on the subject. The United States will, of course, study these proposals with care. Much of the material in these proposals is already familiar.

The Soviet proposal makes no reference to verification. By its very nature it lacks any means to ensure compliance. I should note that the last time we had a moratorium on nuclear testing, some 20 years ago, it was abruptly followed by a large series of Soviet nuclear tests -- tests whose clandestine preparation had clearly been underway during the moratorium.. They included the two largest nuclear tests ever carried out, one of which had a yield of about 60 megatons.

The Soviet Union has placed great emphasis in its public statements on its pledge not to be the first to use nuclear weapons. The Soviet position is a cynical exploitation of one of the most troublesome moral issues of our age. The controversy about "no first use" pledges underscores the wisdom of the Secretary General's advice that all the nations recommit themselves to the principles of the Charter. NATO has long followed a policy -- one it has recently reiterated -- that none of its weapons will ever be used "except in response to attack". We see no value in a pledge not to be the first to use nuclear weapons if a "right", or at least the power to use conventional weapons in contravention of the UN Charter is claimed and reserved. The main effect of nuclear arms control agreements should not be to make the world safe for conventional aggressive war. In any event, the Soviet "no first use" pledge is unverifiable and unenforceable. Its credibility is belied by the nature of Soviet military doctrine, and by the ominous Soviet buildup of massive land-based ballistic missiles, which present an obvious threat of first use.

Mr. Chairman, I have often spoken of the problems which an excessive devotion to secrecy can pose to arms control efforts. Many in this chamber have long argued that greater openness in military matters could help to reduce tensions and lessen the danger of war. Some measures along these lines have already been instituted in Europe as an outgrowth of the Conference on Security and Cooperation in Europe, and indeed they have made a modest contribution to a reduction of tensions in this most heavily armed area of the world.

My Government is among those which would like to see a wider application of the principle of openness. In particular, we should like to see greater participation of states in the reporting of their military budgets to the United Nations, which the General Assembly has repeatedly endorsed, and in the work of the UN experts to improve the comparability of statistics. President Reagan emphasized this policy in his speech to the General Assembly at its Second Special Session on Disarmament in June. It is our hope that this session of the General Assembly will encourage a broadening of the effort to promote full disclosure, and we will be suggesting ways in which this might be done.

Similarly, I think that the World Disarmament Campaign, which was debated at the Special Session, holds some promise for promoting more widespread, open and thoughtful debate about disarmament. This is to be welcomed, provided agreed principles for the campaign are universally observed. As you know, the United States worked hard at the Special Session to ensure that these principles are included in the Campaign. We think that this point is worth emphasizing again in any resolution which the Assembly may consider this fall on the Campaign.

The Secretary General's call to the nations to recommit themselves to the Charter should be the dominant theme of this meeting. One place to begin the effort he recommends is in the nuclear arms negotiations between the Soviet Union and the United States, now going on in Geneva. We urge the Soviet Union to abandon the claim of a right to retain a nuclear arsenal which goes beyond any conceivable limits of defense and deterrence. To accept the principle of deterrence as the foundation of the INF and START talks would be a giant step towards the goal of peace.

In conclusion, I return to the theme with which I started -- that arms control and disarmament efforts can be useful instruments of a strategy for attaining and preserving peace, but in no sense can they be a substitute for such a strategy. In the absence of general respect for the rules of the Charter, arms control negotiations can be futile at best, and damaging to the cause of peace at worst. As the Secretary General has reminded us, peace can be ensured only by enforcing the prescriptions of the Charter against aggression. Since no one can be certain that the escalation from conventional to nuclear war would not occur, the only way to free mankind from the threat of nuclear war is to stop conventional war as well. The draft pastoral letter of the Committee on War and Peace of the National Conference of Catholic Bishops of the United States, released on October 25, 1982, puts the issue with austere eloquence:

"We must reemphasize with all our being...that it is not only nuclear war that must be prevented, but war itself, the scourge of humanity."





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Press Release USUN 108 (82)
November 4, 1982

STATEMENT BY
AMBASSADOR KENNETH L. ADELMAN,
UNITED STATES REPRESENTATIVE,
IN THE FIRST COMMITTEE,
ON A WORLD DISARMAMENT CAMPAIGN
NOVEMBER 4, 1982

Mr. Chairman:

I speak today to Agenda Item 22d concerning the World Disarmament Campaign. The United States supports the achievement of a truly universal, comprehensive and objective world-wide discussion of disarmament.

Over and over again in this century wars have been started by governments opposed to the principle of free expression or which deny their people a true voice in their governance and instead purport to speak on their behalf. Free nations do not want or choose war. Free speech leads them towards justice; freedom of opportunity offers progress without recourse to violence; and political freedom ensures that governments reflect the views and concerns of their people.

Throughout this troubled century, the United States has never been at war with another country committed to democracy and the free expansion of ideas, whatever their content. Indeed, it has supported the process of democratic change from its inception as a nation, and it champions peaceful change today. In the contemporary world, it has always been, and remains today, the least free and most repressive countries which are the main instigators of international tension and conflict. It is Soviet troops which are in Afghanistan; Vietnamese troops which are in Laos and Cambodia; and Cuban troops which are in Angola and Ethiopia. And it is Soviet weaponry, introduced through Cuba and Nicaragua, which is playing so active a destabilizing role in Latin America and fuels the ambitions of such irresponsible dictatorships as Libya.

As you know, Mr. Chairman, the Second Special Session on Disarmament (SSOD II) Working Group last summer produced a consensus document for a truly universal and effective World Disarmament Campaign. The language of this document is clear and unequivocal. It stipulates:

-- that the campaign "should be carried out in all regions of the world in a balanced, factual and objective manner;"

-- that its universality should be "guaranteed by the cooperation and participation of all states and by the widest possible dissemination of information and opinions on questions of arms limitation and disarmament and the damages relating to all aspects of the arms race and war, in particular nuclear war"; and

-- that it should provide an "opportunity for discussion and debate in all countries on all points of view relating to disarmament issues, objectives and conditions".

These are admirable goals. Now it is up to all governments of the world to put these clear principles into practice, to realize in concrete deeds and in their day by day actions what all member states of the United Nations have already endorsed in words.

Mr. Chairman, in the United States and in all open, democratic societies, the workings of a free, multi-sided media ensure that essential information about security and disarmament is readily available to the public. Scores of public and private institutions are working actively to propagate their views on arms control and security issues. No censors nor commissars impede the flow of public information. Demonstrations are not staged, nor is participation in them restricted to those invited by the government.

Unfortunately, this is not the case everywhere. In the Soviet Union, and in other countries following similar domestic repressive policies, only that information which supports official government positions can circulate freely and be openly and publicly discussed, even when it affects the most profound issues for mankind. And those who do demonstrate for peace and disarmament without permission run the risk of prison or internal exile.

It is particularly ironic, Mr. Chairman, that the Soviet Union's domestic actions contrast so sharply with its rhetorical support for peace movements in free countries. While it cynically seeks to exploit the noble aspirations of the peace movement in other states, the Soviet Union simultaneously inveighs against pacifism and arrests those who take part in unauthorized peace activities in its own country. The message is clear: for the Soviet Union, peace and disarmament are issues for propagandistic exploitation abroad, but not for free discussion at home.

And if the Soviet delegate speaks, as he did yesterday, of 20,000 demonstrations with over 60 million participants, the question is not one of peace, but only whether these persons had the option of not participating, or of expressing their views freely. Mr. Chairman, they had no such choice, because freedom of expression--much less spontaneous demonstration--does not exist in the Soviet Union.

Let me cite a few examples--all recent, some continuing--from a dismal Soviet and Eastern European record in the treatment of their own incipient, authentic peace movements.

-- In contravention to the Helsinki Accords, the Soviet Union regularly jams Western radio broadcasts and strictly limits the circulation of foreign books and newspapers to keep its citizens from hearing about or discussing disarmament as well as other topics with foreigners. Ordinary Soviet citizens are admonished not to be in contact with foreigners and KGB surveillance of foreigners generally intimidates Soviet citizens from contacting outsiders.

-- In the German Democratic Republic, we even witness the remarkable spectacle of government repression of peace movements which use symbolic arm patches showing the beating of swords into plowshares -- a symbol reflecting the most basic

ideals of the UN Charter itself and a symbol similar to the monument that the Soviet Union presented as a gift to the UN. These patches were denounced by a frightened East German regime that considered such a pacifist image "the expression of a mentality hostile to the state and proof of membership in an illegal political association". Students and workers wearing "swords into plowshares" patches faced expulsion from school or their jobs.

-- In Czechoslovakia, members of Charter 77, a reformist group dedicated to the upholding of the letter and spirit of the Helsinki Accords and the UN Charter, have been harassed, arrested, and told not to discuss disarmament as well as other topics.

-- During August, the Polish authorities cynically sought to manipulate the Pugwash Conference in Warsaw to legitimize the Jaruzelski regime. To their credit, the American contingent voted beforehand at Boston not to participate as an official group and many individual European scientists chose to boycott the Conference. An open letter to the Conference from Nobel Peace Prize laureate Andrei Sakharov, dealing with issues of the arms race and condemning the closed nature of the USSR and other "socialist" countries, was never put on the agenda--nor was the destabilizing and repressive situation outside the halls of the Pugwash Conference in Poland itself.

In regard to the arms race, the Sakharov letter reads: "In the last decade there has been a very substantial increase in the Soviet army, navy, missile arsenal and air force, while the countries of the West, Europe especially, have weakened their defense efforts. The SS-20 missiles have changed the strategic equilibrium in Europe, although those who take part in pacifist demonstrations seem not to notice this fact." Sakharov concludes his letter by urging that, "there must be international efforts, efforts made by all honest people, to defend human rights, to overcome the closed nature of the USSR and other socialist countries". Mr. Chairman, it is incumbent upon all countries in the United Nations to heed Sakharov's plea.

--In January, the official Soviet newspaper Pravda carried an enthusiastic editorial hailing the anti-war movement in Western Europe as "the vital cause of the peoples". The same paper had earlier declared that Soviet internal "propaganda must decisively rid itself of the traces of pacifism that are occasionally to be found in some instructional or propaganda materials". And, in February, on the occasion of Soviet Army-Navy Day, the Soviet Chief of Staff, Marshall Ogarkov, published a booklet deploring "elements of pacifism" among citizens of the Soviet Union.

-- Last spring, seven people attempted to unfurl a little hand-lettered banner in Red Square in Moscow with the Russian words for "Bread, Life and Disarmament". They were immediately

arrested by the Soviet State Security Police. One wonders which of these three words was considered so dangerous that it had to be hidden from the people of Moscow.

-- In early summer, an international group of peace advocates were towed out from Leningrad harbor after releasing 2,000 balloons carrying messages which read, "USSR Stop Nuclear Testing Now". The Soviet explanation: "The peace advocates' vessel 'Greenpeace' was polluting the harbor." In reality, it seems clear that the Soviet authorities regard spontaneous peace movements as the most dangerous pollutant of them all.

--In July, a group of several hundred Scandinavians who visited several Soviet cities on a peace march -- billed in the Soviet press as the counterpart of similar marches in the West -- learned that their marches had to be done the Soviet way. Soviet speakers, ignoring previous agreements, introduced Soviet political themes and disarmament proposals; marching was cut to a minimum and, where permitted, was tightly controlled; discussions were orchestrated and translations of speeches falsified; and two members of an independent Soviet peace group seeking contact with the marchers were sentenced to fifteen days detention to keep them away from the marchers. So much for the international walks for peace, cited yesterday by the Soviet delegate.

-- Also this past summer, just after one of the largest peaceful disarmament rallies in American history took place in New York, Soviet police moved against 11 Soviet citizens who had announced the formation of a fledgling, independent disarmament group called the "Group to Establish Trust Between the USA and the USSR". The group appealed -- very much in the spirit of the Second Special Session on Disarmament Working Group that same month -- for the widest possible access to information on questions relating to disarmament and arms limitation. They called on my government -- as the Soviet Government has called -- to ratify the SALT II treaty. They called for a "four-sided dialogue", to include the Soviet and American publics along with their governments, on the issue of peace. They asked for permission to hold a real demonstration -- one not planned, sponsored and orchestrated by the Soviet Government -- in Moscow in support of disarmament.

As a result of these activities, several members of the group were arrested and charged with "hooliganism". And on August 6, the spokesman of the group, 25 year old Sergei Batovrin, the son of a Soviet diplomat attached to the Soviet UN Mission from 1965 to 1970, was confined for a month in a psychiatric institute, where he was forcibly treated with powerful debilitating drugs. His main sin seems to have been that in a country where suspicion is all-pervasive, he was

notable for his openness and lack of suspicion. Perhaps like anyone who had grown up in the US, he had taken freedom for granted.

Just this week -- on Monday November 1 -- Soviet authorities once again prevented a news conference by Batovrin's battered group of peace advocates, barring both members and Western reporters from the building where the meeting was to take place. Batovrin, who would have been making his first public appearance since his release from detention, was prevented by Soviet security agents from even leaving his apartment. The meeting was to have dealt with Oleg Radzinsky, a young linguist, arrested last week for anti-Soviet agitation. Before his arrest, Radzinsky had had the temerity to call for an international observance of ten minutes of peace during which all work would be stopped in the name of disarmament.

Mr. Chairman, the very virulence with which these peace advocates have been harassed and suppressed illustrates the utter intolerance of the Soviet and Eastern Bloc authorities to any challenge to the official Soviet policy of "peace" or to its carefully nurtured official image of a nation totally supportive of the ruling Communist Party's peace initiatives and policies. The Soviet Union yesterday pledged 1.5 million rubles to the disarmament campaign, a gesture of rich irony from a country where no true disarmament movements are allowed.

The governments of the free world cannot and do not persecute or stifle their critics, whether we like them or not. We know that much of the progress of mankind -- in the arts and sciences; in the mastery of disease or the conquest of space; in the persistent assertion of human dignity and the rights of man -- is due to the work of courageous individuals who challenge falsehood in the name of truth, who speak for justice in the face of repression. We know better than to condemn critics to psychiatric wards, and we will not recoil if the passion for truth leads people to question our weaknesses or expose our wrongs.

We have welcomed dissidents from the inception of the American republic, beginning, in fact, with those who landed at Plymouth Rock in 1620. Nor have these dissidents come only from Western Europe. Russians, Poles, Hungarians, Czechs, and people subjected to totalitarian governments elsewhere have flocked to these shores in search of self-expression and the right of individuals to shape their own lives. Those seeking freedom of intellectual and artistic expression have not threatened, but vastly enriched the quality of thought and fabric of our culture. Each, whether Solzhenitsyn, Rostropovich, Baryshnikov, General Grigorenko, or lesser known figures, have made a unique impact.

Mr. Chairman, in early September, 20 American leaders of the movement to freeze Soviet and American nuclear arsenals -- including among them a Nobel Prize winner, the chairman for the Council for a Livable World, and one of the few American members of the Soviet Union's Academy of Sciences -- sent a letter to President Leonid I. Brezhnev protesting the Soviet efforts to "harass and persecute" their Soviet counterparts. A portion of that letter reads, "The double standard by which the Soviet Government abides -- applauding widespread debate in the West, while crushing the most benign form of free expression at home -- only strengthens the complex of forces that impel the nuclear arms race."

The United States Government fully subscribes to that sentiment. That is why the United States would welcome a truly universal disarmament campaign allowed by all governments of the world, a campaign that meets the criteria established and agreed to by all member states at the Second Special Session in Disarmament.

For our part, Mr. Chairman, we are giving concrete expression to our commitment to increased freedom and openness, not only at home but in the international arena as well.

Let me review briefly some of the recent initiatives which the United States has undertaken in this regard.

-- The United States has engaged in an extensive, active dialogue with the Soviet Union on important world issues. As one element of this, President Reagan offered recently in Berlin to provide President Brezhnev with an opportunity to speak on world issues directly to the American people on US television, if the Soviet leader provided a reciprocal opportunity. He also proposed that Soviet and American journalists exchange views in their respective media.

-- President Reagan also proposed, then and there, a number of new strategic confidence building measures to foster greater openness and greater understanding. These include reciprocal US-USSR exchanges on advanced notification of major strategic exercises and on ICBM launches within as well as beyond national borders; and an expanded exchange of strategic force data.

-- The US also has supported and respected arrangements promoting greater openness in military matters as an outgrowth of the Conference on Security and Cooperation in Europe.

-- At the Second Special Session on Disarmament this summer, President Reagan proposed the convening of an International Conference on Military Expenditures to give a much needed stimulus to reporting of military budgets by countries, some of which continue to shroud their real military spending in secrecy and mask it behind patently false statistics.

-- In yet another effort to shed light on an important matter of world concern, the United States has strongly supported the efforts to induce the Governments of the Soviet Union, Laos, and Vietnam to facilitate access to areas where chemical weapon attacks have taken place over the last several years, so that the United Nations' Group of Experts can conduct an impartial and complete investigation of these profoundly disturbing illegal and inhumane practices.

-- And in arms control negotiations, we have pressed for acceptance, on a mutual basis, of appropriate verification measures to enhance mutual confidence, credibility and trust.

Mr. Chairman, all of these proposals represent concrete and practical steps to increase freedom, openness, understanding and confidence; to flood light into areas heretofore shrouded by excessive obsession with secrecy and control; and to lessen the dangers of international miscalculation and misunderstanding. We would welcome the free flow of information on disarmament among citizens of all countries. Two days ago, Americans in nine states exercised their right to vote in referenda on various disarmament issues. We regret that supporters of peace elsewhere still lack these basic rights. But we urge all other countries to undertake -- in deeds, not only in words; at home as well as abroad -- concrete efforts to promote an unhindered flow of information to all peoples of the world and to permit the widest possible freedom of public expression and assembly on the crucial issues of world peace and disarmament.



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Press Release USUN 172-(82)
December 8, 1982

Statement by Ambassador Kenneth L. Adelman, United States Permanent Representative to the United Nations, in the First Committee, on Item 54, Chemical and Bacteriological (Biological) Weapons, December 8, 1982

Mr. Chairman:

Ypres, April 22, 1915: Just before dusk a greenish cloud of chlorine gas drifted over the allied lines causing burning, panic and for many lingering death of unspeakable agony. Most survivors of that first gas attack are now gone, yet their cries were heard and echo still through this century. Their suffering led after the war to signature of the 1925 Geneva Gas Protocol banning the use in war of chemical and bacteriological weapons.

Lowghar Province, Afghanistan, September 13, 1982: Soviet soldiers pumped toxic gas into an underground passageway killing 60 Afghan adults and 13 children. The victims of that attack decomposed immediately with flesh peeling from the bone and blue-black skin. Yet, unlike casualties of Ypres, their agonies have been ignored by a world grown used to the unspeakable.

The continuing use of chemical weapons, responsible for the death of at least 10,000 persons in Afghanistan and Southeast Asia, is a major humanitarian issue of our times and is in stark contrast to the progress all nations seek toward real and verifiable disarmament. Violation of the oldest arms control agreements have implications for all arms control and disarmament agreements which cannot be ignored. How then can we maintain the credibility of international agreements or believe pledges to respect human rights?

The 1925 Geneva Gas Protocol, one of the oldest arms control agreements still in force, prohibits the use of chemical weapons in warfare. It was followed in 1972 by the Biological and Toxin Weapons Convention, which forbids the production, stockpiling, or transfer of biological or toxin weapons. Yet each of these has been violated by the Soviet Union. As President Reagan stated on November 22:

"The whole world remains outraged by the Soviets' and their allies' use of biological and chemical weapons against defenseless people in Afghanistan, Cambodia and Laos. This experience makes ironclad verification all the more essential for arms control."

How, despite all these agreements, has the world regressed from Ypres to Southeast Asia and Afghanistan through three successively more lethal generations of chemical weapons? The gases of World War I, like phosgene, chlorine and mustard gave way to nerve gases, developed but not used in World War II. Today, a third generation of chemical weapons in the form of lethal toxins has been developed and is in use by the Soviet Union. These new killing agents, which can be produced in large quantities, were until recently unknown to warfare.

For over five decades all of these weapons have been successfully eliminated from the battlefields of the industrialized world. In World War II fear of retaliation was an effective deterrent to use of nerve gas. Yet in the Third World, protocols alone have not prevented use of these deadly substances. In Ethiopia many thousands died from chemicals in the 1930's. Today, there is conclusive evidence that they are again in widespread use against people of the Third World.

In 1975, when reports of chemical warfare began to come from the most inaccessible corners of Laos, there was a tendency to disbelieve, even to seek explanations in nature. Yet in those poisonous vapors sprayed from aircraft, a hilltribe, too remote for the outside world to notice, was being exposed to the same horrors as trench warfare. In 1976, more reports of chemical destruction came from the remote highland villages of the Hmong. The victims were inhabitants of these villages, men, women and children, particularly the children who were least able to resist the lethal effects of toxic agents. As time passed, the reports multiplied from many sources. There was no longer doubt that the Hmong were being victimized, not by any identifiable nerve gas but by chemicals until then unknown to warfare. They were the products of laboratories with long experience in development of chemical warfare. In 1978, the same reports began to come from Kampuchea and in 1979 from Afghanistan. In 1980, the US along with other nations took the responsible course of bringing the issue to the United Nations. The 1925 Protocol had made no provision for investigation of complaints, verification or enforcement of compliance, and an investigation was set in motion by a resolution of the General Assembly.

While the sophistication of Soviet chemical compounds and the remoteness of the areas in which they were used continued to stand in the way of scientific analysis, evidence was nonetheless mounting. It came from:

- Testimony of those who saw and suffered from the attacks;
- Testimony of doctors, refugee workers, journalists and others who questioned survivors of chemical use;

- Testimony from defectors who carried out the actual attacks;
- Preliminary analysis of physical samples from the attack sites;
- Documentary evidence from open sources and intelligence from "national technical means."

Taken together, it was possible to conclude in the words of a US report circulated as United Nations Document A/37/157 of March 24, 1982 that:

"Lao and Vietnamese forces, operating under Soviet supervision, have, since 1975, employed lethal chemical and toxin weapons in Laos; that Vietnamese forces, since 1978, used lethal chemical and toxin agents in Kampuchea; and that Soviet forces have used a variety of lethal chemical warfare agents, including nerve gases, in Afghanistan since the Soviet invasion of that country in 1979."

Now, it is possible to state with certainty, including positive scientific evidence from each country, that toxin weapons of Soviet origin are in use in Afghanistan, Kampuchea and Laos. A comprehensive report on this evidence from Secretary of State George Shultz has been circulated as United Nations Document A/C.1/37/10 of December 1, 1982. Secretary Shultz' report concludes:

- Reports of chemical attacks from February through October 1982 indicate that Soviet forces continue their selective use of chemicals and toxins against the resistance in Afghanistan. Moreover, new evidence collected in 1982 on Soviet and Afghan government forces' use of chemical weapons from 1979 through 1981 reinforces the previous judgement that lethal chemical agents were used on the Afghan resistance. Physical samples from Afghanistan also provide new evidence of mycotoxin use.
- Vietnamese and Lao troops, under direct Soviet supervision, have continued to use lethal and incapacitating chemical agents and toxins against the Hmong resistance in Laos through at least June 1982.
- Trichothecene toxins were found in the urine, blood and tissue of victims of "yellow rain" attacks in Laos and Kampuchea and in samples of residue collected after attacks.
- A common factor in the evidence is Soviet involvement in the use of these weapons in all three countries. Continued analysis of prior data and newly-acquired information about Soviet mycotoxin research and development, chemical warfare training in Vietnam, the presence of Soviet chemical warfare advisors in Laos and Vietnam, and the presence of the same unusual trichothecene toxins in samples collected from all three countries reinforce our earlier conclusion about the complicity of the Soviet Union and about its extent.

So that there is no mistaking the extent of evidence or the gravity of these charges, I should like now to briefly review the situation in each country. In Afghanistan, Soviet forces are known to have

used lethal chemical agents against Mujahidin resistance forces and Afghan villages at least since the Soviet invasion in December 1979. We now have evidence of at least 60 separate attacks through October 1982. New evidence indicates that the Soviets have continued selective use of toxic agents in Afghanistan up to the present. For the first time, we have obtained scientific evidence of the use of mycotoxins by the Soviets through analyses of two contaminated Soviet gas masks acquired in Afghanistan, one directly from the body of a Soviet soldier. Analysis of material taken from the outside surface of one mask has shown the presence of trichothecene mycotoxin. Analysis of a hose from the second Soviet mask showed the presence of several mycotoxins. In addition, a vegetation sample from Afghanistan shows preliminary evidence of the presence of mycotoxins.

Our hypothesis that mycotoxins have been used in Afghanistan has now been confirmed. Reports during 1980 and 1981 described a yellow-brown mist delivered in attacks which caused blistering, nausea, vomiting, and other symptoms similar to those described by "yellow rain" victims in Southeast Asia. Initially, it was difficult to prove that trichothecene mycotoxin was being used, but we are now in a position to do so.

These scientific findings are corroborated by testimony from Soviet and Afghan personnel directly involved in chemical attacks. A captured Soviet soldier, Anatoly Sakharov, has testified on the use of three chemical agents. Soviet chemical specialist Yuriy Povarnitsyn has provided details on his mission to examine Afghan villages following a chemical attack. An Afghan pathologist has described accompanying Soviet chemical warfare personnel into contaminated areas following Soviet chemical attacks, and a number of former Afghan military officers have pinpointed storage sites for lethal agents in Afghanistan.

In Laos, reports of chemical attacks against Hmong villages and guerrilla strongholds date from mid-1975 and describe over 240 separate incidents. Hmong refugees, who have recounted the familiar details of attack by toxic agents and exhibited the same severe medical symptoms, entered Thailand each month from January through June of this year. They brought with them more samples of "yellow rain" dropped by aircraft and helicopters on their villages and crops. Analysis of these samples, some as recent as October 1982, show that the material used in Laos contains trichothecene toxins which cause vomiting, bleeding, blistering, severe skin lesions and other symptoms observed by qualified doctors. Experts have concluded that the Hmong have been exposed to a toxic agent and that no disease, plant or chemical occurring in nature could have caused such unique physical effects.

As in Afghanistan, physical evidence -- including blood samples and biological specimens -- has been corroborated by eyewitness accounts and testimony from many sources including some responsible for the attacks. A complete description of chemical warfare in Laos between 1976-78 was provided by a former pilot of the Lao People's Liberation Army who flew aircraft equipped to dispense toxic chemical agents on

Hmong villages in the Phou Bia area of Northern Laos. He confirmed that the LPLA, in cooperation with the Vietnamese Army, has conducted chemical warfare in Laos at least since April 1976. Since that time, descriptions of the attacks have been remarkably consistent and usually involve aircraft or helicopters spraying yellow rain on Hmong villages and crops.

Finally, in Kampuchea, we have evidence of over 140 separate chemical attacks. Since October 1978, the Government of Democratic Kampuchea has regularly accused Vietnam and its clients in Kampuchea of using Soviet-made chemical agents against guerrilla forces and civilians alike. In the past year, most of these attacks have occurred near the Thai border, facilitating collection of samples and other evidence of toxin use. Analysis of blood, tissue, urine and other samples from victims of such attacks during February and March has been performed in three countries. While results differed according to techniques used, all concluded that illness has been provoked by toxic agents.

Again in Kampuchea, the perpetrators themselves have provided details on the attacks. A Vietnamese army soldier reports that during operations in the Phnom Melai region he observed two Soviet personnel firing hand-held chemical weapons. Three hundred persons died in the attack he cited. Mr. Chairman, this carnage is continuing and we have reports of chemical warfare in Kampuchea as recently as November 1982.

I have attempted here to summarize our findings with respect to each country as briefly as possible. These conclusions rest on a large body of evidence assembled with the full resources of the US Government. Hundreds of samples have now been collected from Southeast Asia since mid-1979 and from Afghanistan since May 1980. Tissue specimens and body fluids from attack victims have been analyzed both by the US Government laboratories and by those of independent American universities. Positive findings have also been presented before the internationally respected Society of Toxicology, the International Mycotoxin Symposium in Vienna and the Association of Analytical Chemistry. Nor are these findings limited to the US. A comprehensive toxicological study was carried out by Dr. Bruno Schiefer of the University of Saskatchewan and submitted as United Nations Document A/37/308 of June 21, 1982. An epidemiological study was initiated by the Surgeon General of the Canadian Armed Forces and made available to the Secretary-General on August 25, 1982. Research conducted in the laboratories of Thailand has also found evidence of toxic chemicals not naturally present in Southeast Asia.

I would like to suggest, Mr. Chairman, that it is easy to discount individual bits of evidence. One can dismiss eyewitness testimony as biased or photographs as doctored or laboratory analysis as inconclusive or testimony by other persons as hearsay. But when a body of evidence accumulates, as it has in Afghanistan and Southeast Asia, with the various components independently confirming chemical warfare, it is no longer possible to do so. Consider, for example, the composite picture that emerges from testimony and evidence of chemical warfare in Laos:

- A Lao pilot has testified to dropping chemical agents from a specially equipped aircraft;
- The Hmong victims have given their version of the plane and cloud of yellow rain falling to the ground;
- Separate sources have confirmed the presence in the area of an aircraft of the type described by the pilot and the victims;
- Subsequent medical examination of victims reveals symptoms caused by toxic agents;
- Starting in 1981 evidence from defectors and eyewitnesses was supported by blood and tissue analysis from victims showing high levels of trichothecene mycotoxin.

Faced with massive evidence of chemical warfare, the Soviet response has been cynical denial. The Soviet Permanent Representative has attempted to deliberately obfuscate the issue by circulating to the General Assembly three documents with elaborate denials and counter-charges. He dismisses the excruciating deaths caused by chemical weapons of well over 6,000 Lao, 1,000 Kampucheans and more than 3,000 Afghans as "malicious fabrication," "unconfirmed hearsay," and "a noisy propaganda campaign." The Soviet Union has even claimed in documents submitted to the General Assembly that the toxin which eyewitnesses report is distributed by Mikoyan-24 helicopters, Antonov-2 bi-planes, Ilyushin-28 bombers or special artillery shells is the result of herbicides used by the US in Vietnam.

To date, the Soviets have issued such denials confident in the knowledge that the chemical compounds involved would not be detected by the West. We are now, however, able to isolate the components of yellow rain. They are trichothecene mycotoxins at strengths many times higher than found in nature. There is good evidence for the presence of commercially-produced pollen as a carrier and to help ensure the retention of toxins in the human body. There is further evidence of an added chemical to give the mixture adhesiveness. These toxins do not exist together in nature under any circumstances nor separately in the strengths found in yellow rain. They are derived from sophisticated production of lethal toxins within the Soviet Union.

It is a matter of record that the Soviet Union has developed a capacity for multi-ton production of lethal toxins such as these. Evidence accumulated since World War II shows that the Soviets have made extensive preparation for large scale offensive and defensive chemical warfare. Toxic agents and delivery systems have been identified, along with production and storage areas within the Soviet Union and continuing research, development and testing of new agents at the major Soviet chemical proving grounds. Chemical warfare battalions are part of the standard table of organization for Soviet Armed divisions including those deployed in Afghanistan today. While the Soviets label these units as "defensive," I submit that the ill-equipped Majahidin resistance forces pose no chemical warfare threat to Soviet occupation forces.

The Soviet response to evidence of their own brutality in Afghanistan and Southeast Asia is the classic totalitarian technique of accusing others of precisely their own crimes. The Soviet Union in submissions to the United Nations, makes the same tired charges about American use of herbicides in the Vietnam War. Mr. Chairman, the Vietnam War ended almost ten years ago. Let no one forget, however, that the chemicals in Agent Orange were in widespread commercial use, aimed at plants, not people. More has been sprayed along US state highways than in all of Vietnam, and are still in commercial use on a restricted basis in the US and elsewhere. There is, in any case, no connection between use of a commercial herbicide against plants and deliberate use of lethal chemicals by the Soviet Union against human beings.

It has been easy for some to dismiss Southeast Asia and Afghanistan as remote areas, subject to strife for generations. Yet, what is occurring there may become the pattern of the future if we continue to avoid the facts, preferring not to call those responsible to account. Chemical warfare is first and foremost a global issue with greatest significance for those least able to defend against chemical and biological weapons.

Speaking before the League of Nations, Haile Selassie of Ethiopia described how "special sprayers were installed in aircraft so that they could vaporize over vast areas of territory a fine death-dealing rain. It was thus that as from the end of January 1935, soldiers, women, children, cattle, rivers, lakes, and pastures were drenched continuously with this deadly rain." Today there are again reports of chemical warfare in Ethiopia at Turukruk near the Sudanese border on February 15 and, more recently, in an attack 37 survivors of which were found by a Western-trained doctor to exhibit persuasive symptoms of nerve gas. We believe these allegations, as yet unproven, deserve investigation. They are disturbing harbingers of possible repetition elsewhere of the pattern we see today in Afghanistan and Southeast Asia. Chemical warfare, conducted by proxy in the Third World, as it is today by Vietnam in Laos and Kampuchea, is a frightening possibility.

The protocols and conventions to limit these insidious weapons are for the protection of all nations. The prohibition on the use of chemical weapons has, by reason of the practice and affirmations of states, become a part of the rules of customary international law which are binding on all states. As biologically-produced chemical substances, the toxins whose use I have described fall within the prohibitions of both the 1925 Protocol and the 1972 Biological and Toxin Weapons Convention. Violation of these basic agreements by use of sophisticated toxins against defenseless populations of the Third World is in cynical contempt of international law and human decency.

The facts are grim. Chemical weapons provoke fear, revulsion and an unwillingness to face the reality of their use. On such matters, to paraphrase William James, the will to disbelieve is palpably strong. Yet the United Nations Experts Group has now concluded that "it could not disregard the circumstantial evidence suggestive of the possible

use of some sort of toxic chemical substance in some instances." This qualified language is not surprising. The team was repeatedly denied access to each of the three countries -- Laos, Kampuchea, and Afghanistan -- where it was supposed to investigate reports of chemical warfare. In words from their report, "due to circumstances beyond its control, the group was not in a position to proceed to the territories where chemical attacks had allegedly occurred and it was, therefore, unable to conduct any on-site investigations on those territories."

It is, of course, disappointing that, after two years of investigation, the United Nations Experts Group was unable to reach more definitive conclusions. Nonetheless, the material compiled by the United Nations team and documented in their report supports our finding that trichothecene toxins have been identified in samples. Furthermore, the team notes evidence that these toxin agents have been used.

The United Nations experts do not rule out the possibility of natural contamination, although they admit it is unlikely. It has been shown scientifically, however, that this is not the case. This leaves as the explanation the only other possibility offered in the United Nations report: namely, that chemical and toxin agents are being used. We also note that the Soviet explanation for the presence of these lethal toxins in Southeast Asia, as submitted in their scientific report to the United Nations, was dismissed by the United Nations experts as scientifically unsound.

It is not surprising that the United Nations report is less definitive than those of the United States. The U.N. team was subject to severe restrictions of both time and resources. In two years the team was able to meet only six times and carry out three brief trips to Pakistan and Thailand.

It is ironic, therefore, that the Soviet Union has chosen to emphasize the ambiguities in the United Nations report, as reflected in Pravda on December 2, 1982, even before the United Nations report was issued. What Pravda did not report is that the unwillingness of the USSR and its clients to cooperate with the United Nations team crippled the investigation.

Let us not be misled by denials. The strength of international law, Mr. Chairman, depends in large part on prompt international reaction to its violation. A treaty that when broken causes no outcry is without strength. The evidence is now in. Let it not be said of us here that the jury was indifferent. In the words of Secretary of State George Shultz:

"The world cannot be silent in the face of such human suffering and such cynical regard for international law and agreements. The use of chemical and toxic weapons must be stopped. Respect for existing agreements must be restored and the agreements themselves strengthened. Respect for the dignity of humanity must be restored. Failure to achieve these goals can only have

serious implications for the security of smaller nations, like those whose people are being attacked. If such basic elements of human rights can be so fundamentally ignored, how can we believe any pledges to respect human rights? All who would seek to promote human rights, and all who would seek to maintain the credibility of international agreements, have a duty to call world attention to the continuing use of chemical and toxin weapons, and to seek a halt to their use."

Mr. Chairman, eight years ago the world was deaf to reports of chemical warfare from Laos. Today, we have the first indication that use of these noxious weapons may have spread into Africa as well. We cannot afford to lose another eight years and countless lives. The international community must act and act now to build pressure to stop this continuing outrage. Thank you, Mr. Chairman..

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Part 4

Economic Affairs



UNITED STATES MISSION TO THE UNITED NATIONS

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PRESS RELEASE

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October 29, 1982

Statement by Ambassador Jose S. Sorzano, United States Representative to the United Nations Economic and Social Council in the General Assembly of the United Nations, in Committee II, October 29, 1982

Thank you, Mr. Chairman, my delegation has earlier expressed here its congratulations to you on your election as Chairman, but as this is my first opportunity to address the Second Committee during the 37th UN General Assembly, I want to add my own word of congratulations. I am delighted that a man of your experience and ability has been chosen to guide the work of the Committee, and I am certain that as we move forward into the second half of the current session we can be assured that your efforts will prove successful in achieving the positive results we all seek from these deliberations.

Mr. Chairman, these are, no doubt, difficult times. They are times of economic retrenchment, budgetary constraints, political upheavals, institutional crises and military conflicts. We all agree on that. But as we have listened to the views of other delegations it has become clear that there is no consensus either on the causes of these crises, or on the remedial measures that might be taken to alleviate them. That is not surprising given the complexity of the problems and the diversity of perspectives represented in this chamber. Setting aside this perhaps inevitable divergence, we surely can all agree that a necessary first step in moving towards the resolution of many of these problems lies in our capacity to maintain a successful dialogue on these matters. For that reason my delegation proposes to comment on, and respond to, the concerns and views which have been expressed by previous speakers both in Plenary and in the Second Committee on the subject of development and international economic cooperation.

Given the current world economic situation it has not been a surprise to hear virtually all previous speakers express their concern about the state of the international economy. Indeed, some went so far as to call it a crisis. We would not go that far. But regardless of what term we may wish to use to refer to this situation it does not require special economic sensitivity to recognize that the international economy is in very poor condition. The recession that began in 1980 is turning out to be unusually protracted. As measured by several of the most important indicators, including growth of world GNP and of world trade, 1981 was a miserable year. Regrettably, it appears that 1982 may not be much better. The United States has not

been spared from the effects of the worldwide recession, as is apparent to all who have heard our latest unemployment figures. We, therefore, fully share the deep concern and the urgent desire for economic recovery expressed by so many delegations.

On the other hand -- and without becoming Pollyannaish -- there is evidence to suggest that the situation is not as bad as many have feared. World Bank data indicates that even under the unfavorable conditions prevailing in 1981, not only many individual developing countries but entire regions in the developing world performed remarkably well. Both the East Asia and Pacific region and South Asia registered gains of five and one-half percent or higher in their GNP and three and one-half percent or higher in their per capita GNP. These two regions contain about two thirds of the population of the developing world and close to 90 percent of the people of the low-income countries.

East Asia and the Pacific has been one of the most dynamic and fast-growing regions of the world economy for many years now. South Asia, on the other hand, had been the developing world's slowest growing region during the 1960s and 1970s. Not very long ago the economies of South Asia were erroneously dismissed as "basket cases", incapable of making lasting economic progress or even of saving their peoples from the prospect of widespread famine. Thus it is especially heartening that, despite the state of the world economy, this region has now recorded its second straight year of extraordinarily high rates of growth and famine is no longer an imminent threat in this region.

At the domestic level there is also evidence to suggest that the economy may be beginning to turn around. On the inflation front, our policies have achieved a degree of success that surpassed all expectations. The U.S. rate of inflation has been reduced from 12.4 percent during 1980 to an annual rate of just 4.8 percent during the first nine months of 1982. Our success in the battle against inflation has also begun to pay off in a substantial decline in interest rates. During the brief three-month period from June to September of 1982, interest rates, as measured by the yield on three-month U.S. Treasury bills, plunged by four and one-half percentage points. These rates are now at their lowest levels in over two years, and are more than eight percentage points below their peak of May 1981. Encouraged by these developments, Wall Street has witnessed a sharp upward trend and, in the critical construction sector there has been a recent surge in housing starts.

We hope not just for our own recovery. We are well aware that international economic interdependence ensures that economic trends -- positive as well as negative -- are rapidly communicated from one economic system to another. If recession is contagious so is prosperity. For that reason we believe that the positive trends that we detect in our economy will quickly spread to other economies as well. The Reagan Administration, by decontrolling domestic oil prices, has allowed free market forces to achieve a significant drop in U.S. oil imports. This has contributed to a worldwide reduction in

oil demand, leading to a stabilization and even a slight drop in the price of oil. The impact of this drop in energy prices should not be underestimated if we keep in mind that every increase of only one dollar in the price of a barrel of oil costs energy-importing developing countries an annual amount equal to more than three quarters of the net transfer of resources they receive from the World Bank and IDA. Furthermore, every one percent reduction in U.S. interest rates improves the balance of payments of developing countries by \$1 billion. Additionally, a reinvigorated American economy will be a better market for the exports of the developing countries. As President Reagan noted last year, in 1980 and 1981 non-OPEC developing countries' exports to the U.S. earned more than the entire developing world has received from the World Bank in the last 37 years. But it is the reduction in inflation which is most important for the long-term health of the world economy. The alternating cycles of increasing unemployment and ever-higher inflation that characterized the 1970s could not be allowed to continue indefinitely without culminating in economic disaster. To break this vicious cycle, it was necessary to get a firm grip on inflation. The fight against inflation has by no means yet been won, but the prospects are very encouraging. Victory over inflation should establish the conditions for the international economy to enter an era of sustained, non-inflationary growth. Economic growth, lower inflation, lower oil prices, and lower interest rates will help, cannot but help, to alleviate the pressing debt burden of many nations. Let us not despair, therefore, in the quest for our common objective: the prosperity and well being of our peoples.

Mr. Chairman, we would also like to comment on the thesis advanced by some that the economic difficulties experienced by developing nations are attributable to their deteriorating terms of trade with the industrialized world. The implication seems to be that somehow the industrialized countries are to blame. The evidence suggests otherwise. Now, it is certainly true that over the past few years the oil-importing developing countries have been hurt by a decline in their terms of trade. Yet, 1982 IMF figures show that the terms of trade of the industrialized countries also declined in each of the past three years. The only group to experience an improvement in its terms of trade during this period was the oil-exporting developing countries. The aggregate shift in the terms of trade, then, has taken place primarily within the ranks of the developing world, and cannot account for the overall decline in developing country economic growth.

Another argument we have frequently heard asserts that increased spending on armaments has been a major cause of the slowdown in world economic growth. Once more, however, a look at the evidence suggests otherwise. The World Bank's World Development Report for 1982 shows that from 1972 to 1979 defense spending as a percentage of GNP in the industrial market economies as a whole declined from 5.1 to 3.8 percent, with the U.S. figure registering a decrease from 6.4 percent to 4.6 percent. During this same period the percentage of GNP spent on defense rose in both the middle-income and low-income developing countries, with the 4.5 percent figure attained by the low-income countries surpassing that of the industrial market economies. In the

early 1980s, the United States has indeed begun to increase the proportion of its resources allocated to defense -- a step necessitated by the fact that the Soviet Union has continued to devote well over 10 percent of its own GNP to military spending. But U.S. defense expenditures today still remain well below the 8 percent of GNP that they averaged during the high economic growth era of the 1950s and 1960s. In sum, an impartial observer would have to conclude that if spending resources for defense purposes is a sin, then there are many sinners; some sin more than others, and -- regrettably -- those that can least afford it are among the worst sinners. But these are sovereign decisions of sovereign nations. No doubt all our economies would be better off if we agreed on mutual reductions in armaments, but it would be misleading to assert that the current world recession is linked to Western defense spending.

Another frequent theme during the past few weeks has been the dangers of protectionism to the health of the world economy. We fully endorse the proposition that protectionism is a danger and should be resisted. The benefits of free trade have long been recognized and are well understood. But we find less convincing the view that the international community need be concerned only with protectionism in the industrialized market economies. No one would deny that protectionism in the advanced industrial economies that constitute the market for most of the exports of the developing nations is especially damaging. But damaging economic policies -- price controls, exchange controls, labor controls, subsidies and state trading monopolies as well as protectionism -- are not the exclusive property of any group of countries. Indeed, it is clear that, looking at such practices as a whole, the industrialized countries are the least offending of all groups. Nevertheless, protectionism is a symmetrical evil. It is harmful in all directions and its negative consequences are felt regardless of the level of economic development of the nation that employs it. Protectionism in the developing countries, therefore, is also a danger to the world economy, to exporters everywhere and to the developing countries themselves.

These observations bring me to another point. No matter how favorable the state of the world economy, the terms of trade, the volume of trade, the interest rates, the price of energy and the level of inflation may be, the economic prosperity of any nation ultimately rests on its own domestic economic policies. In this regard my delegation has repeatedly insisted on the benefits derived from policies that encourage market practices. We seem to have been misunderstood. We have heard in response to our views that markets are not possible without the necessary infrastructure and that the market, for all its magic, cannot be expected to accomplish everything. We agree that markets and market-oriented practices do not exist in a vacuum. They exist within concrete social structures, habits, cultural orientations and many other factors which foster or hinder the smooth functioning of market processes. We recognize, therefore, that markets cannot function effectively in the absence of appropriate infrastructures, and our economic development assistance programs -- a subject to which I shall return shortly -- have traditionally been oriented towards the creation of the necessary

infrastructure. But infrastructures are not sufficient for economic growth. If they were, many countries would be more advanced than they now are. Infrastructures need to be complemented with what we have called market practices. By market here we do not mean elaborate corporate structures, profit and loss statements, Wall Street Dow Jones averages or the like. We are not insensitive to the diversity of circumstances among the nations of the world. We are aware that the same principle may find different expression under different circumstances. But we believe in the powerful role that incentives play in human economic behavior. It is, for instance, of little comfort to a small farmer, who after months of back-breaking toil manages to harvest a modest crop, to be able to take it to the nearest market over an ODA-financed paved road, if the price that he can obtain for his produce is arbitrarily low because of governmental decrees. The farmer may not be economically erudite, indeed, he may be ignorant and even illiterate. But he is not dumb and his disappointment with the meager yield of his labor will surely be reflected in his subsequent economic behavior. Let us be clear, therefore, on the point we are making. We have not advocated laissez-faire, or exclusive reliance on the market place, or the withdrawal of governments from their legitimate areas of activity. We are simply highlighting the incontrovertible fact that economic development is ultimately traceable to individual, flesh-and-bones, human beings, and that economic growth is fostered by policies designed to promote the motivation, initiative and productivity of those individuals.

The soundness of this advice has been most recently demonstrated in the experience of several countries in West Africa's drought-plagued Sahel. Here the inflexible grain-pricing schemes of government marketing boards had kept producer prices unnaturally low. With the support of an international consortium of donors, the governments have altered these schemes to allow the freer play of market forces. The results of this new production incentive are now beginning to flow into the grain bins of the Sahel. Previously, the Sahelian farmer grew only enough sorghum and millet for his own family, as artificially low producer prices offered by the monopolistic government marketing boards made sales unprofitable. Now that he is freed to seek a fair market price for his produce, his incentive to grow more grain for sale is becoming a key factor in increasing the Sahel's always fragile food supply.

Mr. Chairman, a moment ago I made passing reference to our economic development assistance programs. The U.S. will seek to expand the benefits of economic growth for developing countries, and especially for the least developed countries, through our multilateral and bilateral development assistance programs. We will continue our support as the largest donor for the United Nations Development Program, UNICEF, the development-oriented specialized agencies and other development organizations of the United Nations system. While intending at present to maintain current levels of contributions, we are hopeful that the coming improvements in the world economy will permit us to increase our future contributions.

At the same time our Agency for International Development (AID), in cooperation with many developing countries and with a special emphasis on the least developed, is planning and implementing development assistance on a bilateral basis. This year the United States will provide \$6.2 billion for developing countries on a bilateral basis. These funds will be invested in programs of infrastructure, science and technology, food production, renewable energy sources, rural health and the development of vital human resources. Additionally, using both the multilateral channel of the World Food Program and direct country-to-country food grants, the United States shares the bounty of the American harvest with the food-deficit developing world as well as with regions hit by natural or man-made disasters. Food assistance must by its nature be temporary. However, as long as the real need exists, the fruits of the American farmer's productivity will be there to share. With this blend of multilateral and bilateral assistance we hope to make a meaningful contribution to progress in the developing world.

We wish we could say the same about the contributions of some other nations, but unfortunately we cannot. Repeating a theme first sounded at the summer session of ECOSOC, the delegation of the Soviet Union has claimed to have supplied extremely generous amounts of economic assistance to the developing countries, devoting 1.3 percent of their GNP in 1980 to this purpose. If this figure were to be believed, it might provide an additional reason for the eagerness of large numbers of Soviet citizens to emigrate from their homeland -- namely, the hope of gaining abroad some of the economic benefits they are denied at home. But of course the great preponderance of Soviet economic assistance goes not to countries that attract immigrants, but to the handful of Soviet client states in the developing world which themselves generate most of the world's refugees. If these few states are receiving development assistance on the scale the Soviet figures suggest, the fact that their economies nonetheless continue to stagnate and even retrogress becomes an even more damning indictment of the incapacity of Soviet-brand Communism to promote economic development.

In any case, based on the meager evidence that the Soviets have thus far offered, their claims regarding the magnitude of their aid programs are hardly credible. The Soviet claims cannot be accepted as anything more than empty propaganda until they are backed up with the same kind of detailed, verifiable data regarding type and recipient of aid provided by the OECD countries.

Fortunately, there is one aspect of development assistance where we do not have to rely on selective Soviet data in order to measure Soviet performance. I am referring to multilateral development assistance channeled through the U.N. system. The facts are plain for all to see in Table A-4 of U.N. document A/37/445. This document reveals that the Soviet contribution comes out to a miserly 10 cents per capita, a level which would embarrass many a least developed country and which has made the phrase "Soviet Aid" a contradiction in terms.

Finally, Mr. Chairman, I should like to offer just a few comments on an issue of major importance to everyone here, developed and developing countries alike. That is the outlook for the launching of Global Negotiations. The President of the General Assembly earlier this week convened a meeting of interested countries to announce his appointment of Ambassador Otunnu of Uganda to chair discussions aimed at breaking the present impasse. The United States wishes to compliment President Hollar on his wise choice of Ambassador Otunnu, a man of imagination and proven ability. We look forward to working with him in this worthwhile and difficult endeavor.

Mr. Chairman, although both sides are still unable to move ahead on this matter, it would be incorrect to conclude that there has not been progress. We have, in fact, made noticeable progress from a year ago, and I believe all here will agree that we have come very close to a solution acceptable to all. As I noted at the conclusion of the 36th General Assembly, we continue to believe that the Versailles text offers a fair and realistic basis on which to proceed. It is a reasonable position that was reached only after arduous negotiation. The principal concern with which it deals, namely, maintenance of the integrity of the existing specialized agencies, remains of paramount importance to my government. In concluding, I wish to say that my delegation remains prepared to work together with all our colleagues in seeking finally to bridge the narrow gap that still separates us.

Thank you.
